

DEVELOPMENT OF THE PEACE PROCESS IN THE  
WESTERN SAHARA CONFLICT

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

## ABSTRACT

DEVELOPMENT OF THE PEACE PROCESS IN THE WESTERN SAHARA  
CONFLICT, by CPT Lamiri Abdenaby, 111 pages.

Colonized by Spain in 1884, The Western Sahara has been a theater of dispute between different actors in different times. Spain relinquished the administration of this territory to Morocco and Mauritania under the Madrid accords treaty in 1976. The Polisario rejected this treaty and waged guerrilla warfare mainly against Morocco. After fifteen years of a fierce military struggle, the United Nations (UN) brokered a ceasefire in 1991 that ended the war and started a new episode of a long and unproductive peace process. From the settlement plan through the Baker plans to the 2007 proposals by both parties, no plan seemed to end this dispute. The UN was stuck in the middle of a complex dispute that more than two parties are believed to be involved in. The researcher explores the reasons that caused the failure of the peace process in a chronological manner. He walks through the milestone events to provide a better understanding of the conflict. Through comprehensive analysis, the author devises solutions and elements that can produce a definite settlement of the dispute over the Western Sahara.

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This work is dedicated to the Moroccan people including the Sahrawis, to the Maghreb population, and to the Moroccan Armed Forces for their sacrifice in keeping Morocco safe and secure.

Finally, I would like to present my special thanks to the UN and its professional members that are devoted to peace in the world despite the risks that regional conflicts represent. Alleviating the suffering of populations around the world is quite a noble and appreciable task that this organization has been dedicated to since its inception.

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## ACRONYMS

|           |  |
|-----------|--|
| AU        | African Union  |
| FLU       | the Liberation and Unity Front   |
| ICJ       | International Court of Justice   |
| MAU       | Maghreb Arab Union   |
| MINURSO   | Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental"; translated in English as, The UN Mission for the Organization of a Referendum in Western Sahara |
| MLS       | Saharan Liberation Movement  |
| MOREHOB   | the Taureg Mouvement Revolutionnaire des Hommes Bleus; translated in English as The Taureg Revolutionary Movement of the Blue Men  |
| OAU       | Organization of African Unity  |
| POLISARIO | Frente Popular de Liberación de Saguia-El-Hamra y Rio de Oro<br>Popular Liberation Front for Western Sahara  |
| PUNS      | the Sahrawi National Union Party   |
| SADR      | Sahara Arab Democratic Republic  |
| UN        | United Nations   |
| UNHCR     | United Nations High Commission for Refugees  |
| UNSC      | United Nations Security Council  |
| U.S.      | United States  |



## ILLUSTRATIONS

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## CHAPTER 1

### INTRODUCTION

#### The conflict of Moroccan Sahara vs the conflict of Western Sahara

This research project examines the peace process for the long-lasting conflict of Western Sahara. It relates the big events that occurred since the ceasefire in 1991, in a chronological manner, by offering the reader structured information to acquire more insights about the complexity of this dispute. Furthermore, the reader of this thesis will be able to understand the main differences between the positions of the opposing parties in this conflict and why a common ground could not be found up to 2014 even with the mediation of the UN. All the different opinions and narratives of both parties are discussed in this paper. The researcher introduces the different names used by the opposing parties to refer to the disputed territory

This conflict is mainly a territorial contest over a Saharan territory. The disputed land is called the “Moroccan Sahara” by the Moroccan government. In addition, the Moroccan officials have tendency to use the term “Southern provinces” when referring to the disputed territory that is geographically located in the South of Morocco. This territory used to be known as the Spanish Sahara from 1884 to 1975 as it is mentioned further in this paper. However, the UN and other countries refer to it as the Western Sahara. For the purpose of neutrality and respect to the academic standards, the researcher is using the term “Western Sahara” to refer to this contested land or the conflict around it. Figure 1 depicts the area that is the focus of this paper.



Figure 1. Map of Western Sahara

Source: University of Texas Library, "Map of Western Sahara," <http://www.lib.utexas.edu/maps/africa/westernsahara.jpg> (accessed March 14, 2014).

### Geography of the Western Sahara

The Western Sahara is located along the Atlantic Ocean in the western part of North Africa; bordering the modern states of Mauritania in the south, Algeria in the east, and Moroccan territory in the north. It is a wide, barren zone comparable in size to Great Britain and is a little smaller than the U.S. state of Colorado.<sup>1</sup> It spreads over a bleak land that is approximately 266,000 sq. km, equivalent to 102,700 sq. miles.<sup>2</sup> Its Atlantic coastline is around 1,110 km and it is one of the richest fishing coastlines in the world.<sup>3</sup> The Western Sahara's terrain is chiefly made of leveled desert with large zones of rocky ground. Its terrain contains high-quality phosphate discovered at the time of Spanish colonization, and is currently extracted by Morocco.<sup>4</sup> It is believed that other mineral resources may be found adding more speculation and interest for resources hunters. Including a few palm trees, the only other tree that can be found in this area of very rare vegetation is called *Acacia radiana*.<sup>5</sup> Rainfall is sparse, going from zero to five centimeters in a year.<sup>6</sup> In describing the weather of Western Sahara, Erik Jensen notes, "there are four seasons; season of extreme heat, season of freezing cold nights, season of sandstorms, and season of flies."<sup>7</sup>

### Population of the Western Sahara

The dominant population of the Western Sahara is currently made up of groups called Sahrawis. The Sahrawis are not the original population that used to live in this area prior to the eleventh century.<sup>8</sup> Actually, two main tribes were living and occupying the Western Sahara around that time. Those two tribes, primarily Berbers, were the *Zenata* and *Sanhaja*.<sup>9</sup> The Sahrawis were originated from the mixing of those two larger tribes with the Arab tribes that started to invade the Maghreb in the eleventh century. Around

the thirteenth century an Arab tribe, known as the *Maqil* established itself in the Western Sahara along with the aforementioned Berber tribes. Later, a number of new Arab tribes, to include *Beni Hassan*, come primarily from the Yemen, penetrated the Western Sahara territory.<sup>10</sup> Close ties with the Berber tribe of Sanhaja, despite some opposition, would allow the newly coming tribe to mix and ultimately absorb the Sanhaja population to produce what is currently known as *Sahrawis*.<sup>11</sup> The dominant language of Beni Hassan was *Hassaniya*, a dialect derived, although slightly different from Arabic with some elements of the Berber language. The Sahrawis did not abide by national borders and wandered at will over the Saharan region extending to the Western Sahara. They lived in scattered groups in Saharan areas in different countries. These Saharan zones were within Mauritania, north of Mali, and the southwestern part of Algeria.<sup>12</sup> Currently, the Western Sahara region is thinly populated because of the harsh conditions and the nomadic lifestyle of most of its inhabitants. The population of Western Sahara is estimated to be around 300,000 people.<sup>13</sup> The majority of the Sahrawis are living in the Moroccan controlled part of the Western Sahara. The opposing groups of Sahrawis to the Moroccan authority live in four major camps on the eastern side of the Berm and around Tindouf, a city located in southwest Algeria since 1976. For planning aid in 2014, the United Nations High Commission for Refugees (UNHCR) estimated the Sahrawi refugee population living in Tindouf (Algeria) to be around 91,570.<sup>14</sup>

#### The status of the Western Sahara

The Western Sahara, although 80 per cent of its territory is currently controlled by Morocco, is still a contested land between Morocco and a group of Sahrawis known as *Polisario*.<sup>15</sup> The Polisario is a Spanish acronym of “Frente Popular de Liberación de

Saguia-El-Hamra y Rio de Oro” which is abbreviated in English as “Popular Liberation Front for Western Sahara.”<sup>16</sup> The status of the disputed land between Morocco and the Polisario was looked at by the UN for more than forty years and a solution is yet to be determined. Resolution of this conflict keeps vanishing just as the parties involved get closer to its settlement. The involvement of other countries with conflicting interests makes this conflict one of the most difficult problems to resolve despite the long mediation of the UN.

### Moroccan rule over the Western Sahara

According to Moroccan history, many Moroccan dynasties have controlled this territory for almost a thousand years. The first dynasty that ruled over the Sahara was Almoravid starting in 1060 A.D.<sup>17</sup> Under the rule of Yusuf Ibn Tashfin, Almoravid controlled a large territory in North Africa and south Europe.<sup>18</sup> This territory included what is currently known as Western Sahara and most of southern Spain. Power over Moroccan territory shifted from one dynasty to another over the years.

Every dynasty that ruled over Morocco controlled differing territories according to the power that it held.<sup>19</sup> Around the seventeenth century Moulay Ismail, an Alaouite sultan, assumed control over a large territory through his successful expeditions in the Sahara.<sup>20</sup> When Moulay Ismail died in 1727, dispute over power among his numerous sons left Morocco divided for decades and power over the large territory would become intermittent.<sup>21</sup> The Moroccan territory was divided into *Bled Makhzen*, lands ruled by the Sultan where he had religious and political sovereignty, and *Bled Siba*, territory where the Sultan had religious sovereignty but without political control.<sup>22</sup> However, there is little or no evidence that clearly states the size of the territory that was controlled by

Morocco prior to the European colonization of the country in the twentieth century.

Figure 2 depicts the size of the Almoravid Empire around 1120 A.D. The Almoravids controlled southern Spain and a territory in North Africa that extended to the southern part of Mauritania (Aoudaghost).

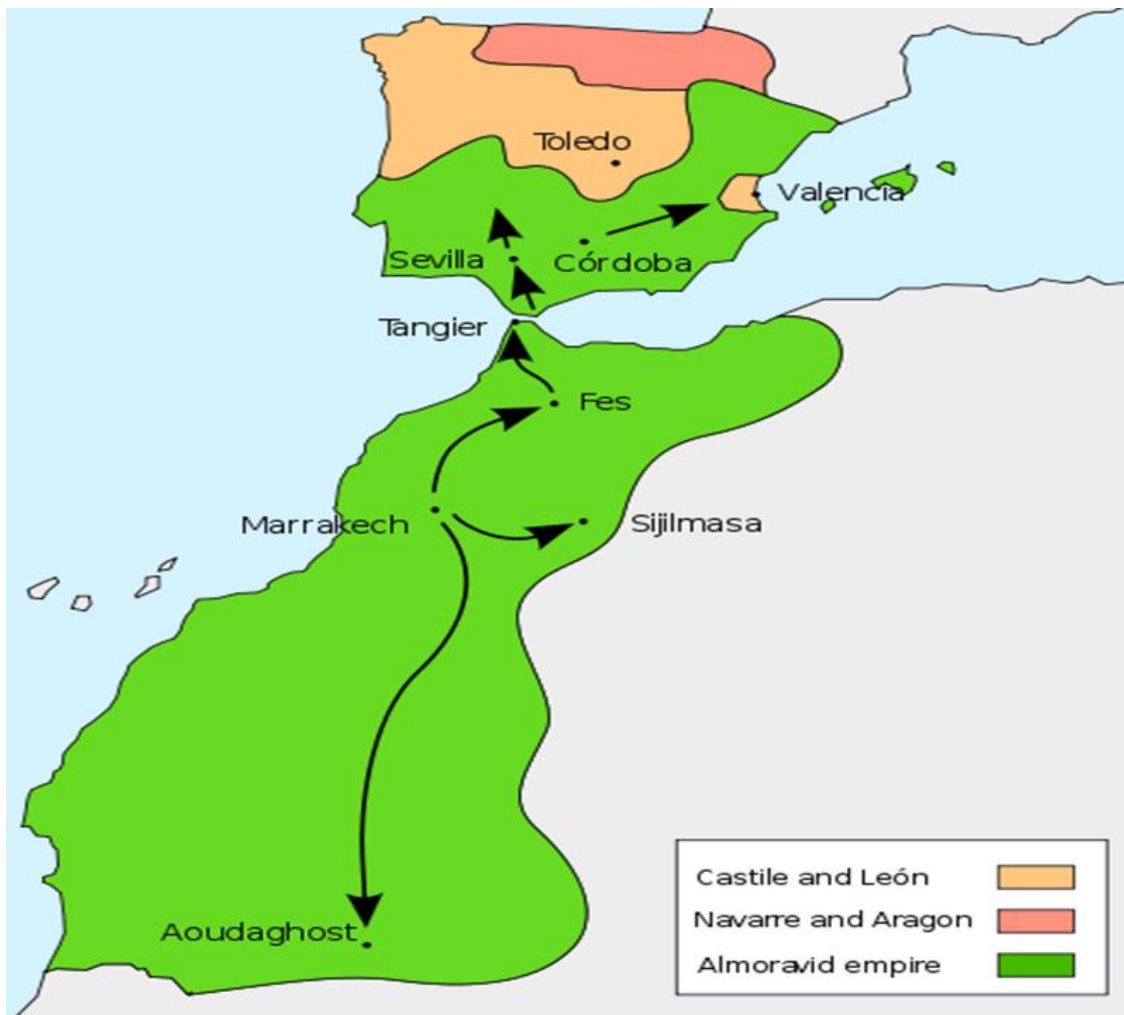


Figure 2. Map of the Almoravid Empire

Source: Almoravids, "Spain then and now," [http://www.spainthenandnow.com/spanish-history/11th-c-al-andalus-almoravids/default\\_146.aspx](http://www.spainthenandnow.com/spanish-history/11th-c-al-andalus-almoravids/default_146.aspx) (accessed May 9, 2014).

### The Spanish Occupation of Sidi Ifni and Western Sahara

Besides Melilla and Ceuta, two Moroccan cities that had been under Spanish control since 1497 and 1580 respectively,<sup>23</sup> Spain showed interest in occupying more of the Moroccan territory. After the Spanish-Morocco War between 1859 and 1860, Spain gained control of Tetouan, a northern city of Morocco, and Sidi-Ifni, a southern city, after a peace treaty that was signed between Morocco and Spain.<sup>24</sup> The Spanish colonization of the Western Sahara started in 1884 along with the colony of *Rio de Oro*, which used to be known also as *Villa Cisneros* but is currently known as *Dakhla*. This occupation occurred within the context of the Berlin Conference, which took place between 1884 and 1885, based on an agreement to share the African continent between the European Imperialist powers. Within two to four years later, Spain established jurisdiction over a territory that spread over 150 miles inside Western Sahara after reaching an agreement with the first resistant groups led by *Shaikh of the Oulad Delim*.<sup>25</sup> By 1934, Spain succeeded in controlling all the territory of Western Sahara and renamed it the *Spanish Sahara*.<sup>26</sup>

### Spanish and French protectorates in Morocco

Later in the 1900's, Morocco was divided between France and Spain. In 1906, those countries forced the Moroccan Sultan My Abdelaziz to ratify the Algeiras Conference, which allowed them to control the Moroccan police and customs; this was a step towards the colonization of the country. In 1912, Morocco signed the Treaty of Fes with France that made Morocco to lose its independence and become a French protectorate.<sup>27</sup> Another treaty between Spain and Morocco allowed Spain to establish a protectorate in the northern part of Morocco.<sup>28</sup> Later, France and Spain defined the borders of their sphere of influence over the Moroccan territory.<sup>29</sup> After negotiations with



France, Spain gained control of the southern Moroccan area of *Cape Juby* in 1916, which is also known as *Tarfaya* or *Villa Bens*.<sup>30</sup> This allowed Spain to establish two protectorates; the Rif region in the north of Morocco and Cape Juby in the southern part of the country. This was in addition to the colony of *Sidi Ifni* and the territory of Western Sahara.<sup>31</sup> France had only one protectorate in the center of Morocco. Figure 3 shows the division of the colonized Morocco between Spain and France. The French Protectorate (green) controlled a larger portion of Morocco than the Spanish Protectorate (pink/red). The coastal city, Tangier (yellow), was an international zone while the rest of Morocco was taken over. In the early twentieth century, the Maghreb countries were shared between France, Spain and Italy. The occupation banished the border lines between some countries of the region, and this would become an issue after the decolonization as discussed later in this paper.



Figure 3. Map of the division of colonized Morocco between Spain and France

Source: Colonization of Morocco, "Motivation," <http://colonizationofmorocco.weebly.com/spanish-and-french-protectorate.html> (accessed March 14, 2014).

### The end of Spanish occupation of Western Sahara

In 1963, The UN Special Committee on decolonization declares Western Sahara a “non-self-governing territory to be decolonized” in accordance with General Assembly Resolution 1514 (XV) of December 14, 1960.<sup>32</sup> Later in December 1965, the UN General Assembly’s first resolution related to this issue, Resolution 2072 (XX) of December 17, 1965, urged Spain to decolonize the Western Sahara and to initiate talks about the sovereignty of this territory.<sup>33</sup> In May 1967, in an attempt to calm criticism and give the appearance that the Sahara was moving towards self-determination, Spain founded a Sahrawi General Assembly known as the *Djemaa*.<sup>34</sup> This assembly represented several Sahrawi tribes. To counter this move, a Sahrawi political organization, known as the Saharan Liberation Movement (MLS) was created in 1968; Mohamed Sidi Ibrahim Bassiri was nominated the leader of this non-violent organization.<sup>35</sup> Through peaceful protests against the Spanish occupation of the territory, the MLS claimed vainly the application of the right of self-determination. Many members of the MLS were either killed or detained during Spanish crackdowns, and in 1970 its leader would disappear forever under unknown circumstances after being arrested by Spanish Authorities.<sup>36</sup> While the MLS was totally suppressed, the international effort to decolonize the Western Sahara continued. The General Assembly was consistently adopting resolutions on this issue every year and through the period between 1966 and 1973,<sup>37</sup> all of which reiterated the need to hold a referendum on self-determination.<sup>38</sup> Meanwhile, the resistance efforts against the Spanish occupation continued to escalate in different forms.

Inspired by other revolutionary experiences in the third world, Sahrawis started seeking self-determination that was promised to them under the UN resolutions through

resistance. They organized themselves into several resistance organizations under the auspices of the different interested countries in the region. Derek Harvey mentions in his thesis paper that “the Liberation and Unity Front (FLU) was sponsored by Morocco, the Sahrawi National Union Party (PUNS) accepted the support of Spain; although, two of its leaders later aligned with Morocco in 1975 [one of them is *Kalihenna Ould Rachid*, the current president of the Royal Advisory Council of the Saharan Affairs, known as CORCAS], the Taureg Mouvement Revolutionnaire des Hommes Bleus (MOREHOB) was initially supported by Algeria but turned to Morocco in 1975, and the Front for the Liberation of the Seguiet el-Hamra and the Rio de Oro (POLISARIO) came into being in 1973.”<sup>39</sup> All these groups played different roles at different times during the resistance struggle against the Spanish occupation of Western Sahara. All these organization would be dismantled or absorbed by other organizations, but the Polisario would turn in its attention against Morocco and stay as a dominant Sahrawi guerilla group in the Western Sahara.

In describing the three different groups that formed the Polisario, Paul Rockower notes, “the first section comprised the Saharan nationalists and the Saharan educated elite, many of which had been followers of Bassiri and supporters of the MLS. The second component of the Polisario was a radical left-wing/Marxist Moroccan student group. Many of these students were educated at Mohamed V University in Rabat. The third section included a core, anti-colonial militant group that resided in Mauritania.”<sup>40</sup> The first leader of the Polisario was Mustapha El-Ouali who initially supported the integration of the Western Sahara to Morocco.<sup>41</sup> The Polisario shifted its objective and turned against Morocco; it would seek independence of the Spanish Sahara by all means.

In an official statement that demonstrated the shift in its political objective, the Polisario stated: “the Sahrawi people have no alternative but to struggle until wresting independence, their wealth and their full sovereignty over their land.”<sup>42</sup> In addition, the organization warned Morocco that if it annexes the Sahara, the Polisario would militarily oppose this initiative.<sup>43</sup> Meanwhile, the resistance efforts of the all the Sahrawis movements that were mainly supported by Morocco continued to weaken the Spanish forces in the Western Sahara.

### Independence of Morocco and the dream of Greater Morocco

Following the Moroccan successful resistance, combined with the diplomatic efforts made by the Istiqlal Party and its leader Allal al-Fassi, Morocco gained its independence from French and Spanish colonial rule in 1956. During the early days of Morocco’s independence, Allal al-Fassi began to argue that ending the French and Spanish protectorate over Morocco was not a full independence but instead a partial triumph towards the accomplishment of this goal. Allal al-Fassi said “So long as Tangier is not liberated from its international statute, so long as the Spanish deserts of the south, the Sahara from Tindouf and Atar and the Algerian-Moroccan borderlands are not liberated from their trusteeship, our independence will remain incomplete and first duty will be to carry on action to liberate the country and unify it.”<sup>44</sup> The Istiqlal drew a map of *Greater Morocco* (see Figure 4). In this map, the Istiqlal party depicted Morocco including a vast portion of the Algerian desert, the entire territory of Western Sahara, Mauritania, and the northwestern part of Mali.<sup>45</sup>

In 1957, pursuing the achievement of the dream of Greater Morocco, Morocco created an Army for the Liberation of Sahara (ALS). Originally, around 5,000 Moroccans

along with Sahrawis belonging to two tribes: *Reguibat* and *Tekna*, took part in this organization.<sup>46</sup> The ALS carried out successful guerrilla warfare operations against the Spanish forces remaining in Sidi Ifni and the Spanish Sahara. Under heavy losses, the Spanish troops retreated towards more secured positions and Sidi Ifni was handed over to Morocco in 1958.<sup>47</sup> Later, the ALS was defeated by a large combined Franco-Spanish campaign, known as Operation Hurricane. Consequently, massive numbers of Sahrawis, estimated to be between 20,000 and 35,000, would seek refuge in Morocco.<sup>48</sup> These Sahrawis would have direct impacts on the deadlock of the referendum process as explained later on this thesis paper.

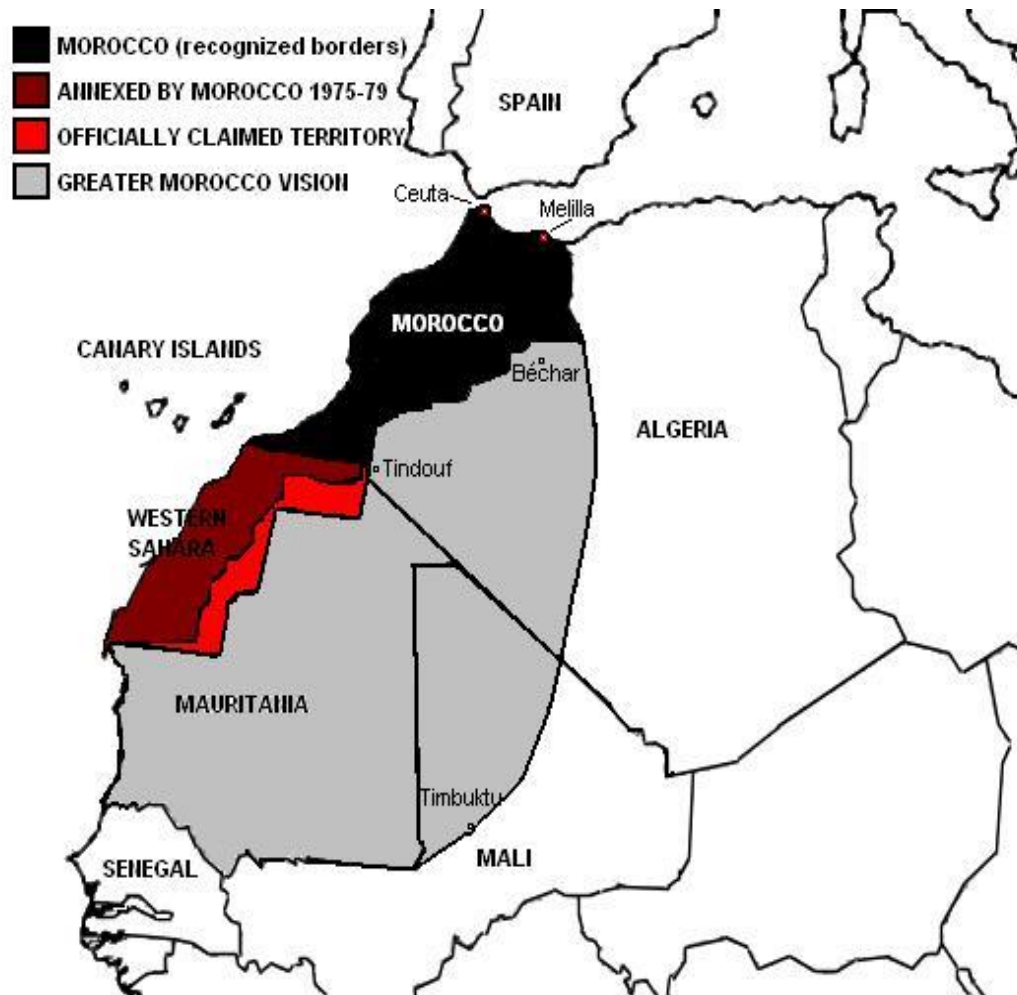


Figure 4. Map of Greater Morocco

Source: Global Security, <http://www.alternatehistory.com/discussion/showthread.php?t=214815&page=32> (March 24, 2014).

Note: This map is also found at Tony Hodges, *Western Sahara, the Roots of a Desert War* (1983), 87. This map depicts, in the grey area, the Greater Morocco as was drawn by the Istiqlal party on the Morrow of Moroccan independence.

After the defeat of the ALS, Morocco signed an agreement with Spain that allowed Morocco to peacefully recover Tarfaya, known as Cape Juby, with commitment to dismantle the ALS that some of its members became later part of the Moroccan Army.<sup>49</sup> Morocco would substitute, in its quest to recover its territorial integrity, the use

of force by the use of diplomacy that paid off by the return of Sidi Ifni to Moroccan rule in 1969.<sup>50</sup>

#### The end of the dream of Greater Morocco

The dream of Greater Morocco came to its end when Mauritania gained its independence in 1960. An independence that Morocco did not want to recognize causing a tremendous amount of strain in Moroccan-Mauritanian relations. Later, Morocco would dismiss its irredentist claims and recognize Mauritania in 1969.<sup>51</sup> The recognition of Mauritania by Morocco would signal the end of pursuing the Greater Morocco dream, and start a new chapter in which Morocco would focus its efforts towards the Western Sahara territory.

#### The Moroccan-Algerian strained relations

Unlike with Mauritania, Moroccan-Algerian relations will never be normalized due to the border issues. The problem originated with the French colonization of the two countries. During the colonization era, France did not draw up an exact border line between the two countries simply because the borderlands were largely uninhabited. At the time, France never thought it would leave Algeria, so it left the borders undefined between the two countries.<sup>52</sup> For this purpose and according to the Moroccan history, France arbitrarily shifted three regions from Morocco to Algeria: *Tindouf*, *Bechar* and *Toust*.<sup>53</sup> During the Algerian Independence War that took place between 1954 and 1962, Morocco supported Algeria and had never discussed the border issues with the Algerian rebels, believing that it would not be an issue when Algeria acquired its independence. However, in 1962, in the Morrow of the Algerian independence, Algerian government



made it clear that the Moroccan-Algerian borders would remain unchangeable.<sup>54</sup> This declaration would initiate the border war that took place between Morocco and Algeria in 1963, known as the *Sands War*. This five-month long war would sow the animosity between the two countries and set the conditions for future hostility that has never ended. The relations between Morocco and Algeria would deteriorate and never recover, especially with the Algerian unlimited support to the Polisario over the disputed sovereignty of Western Sahara. The strained relations between the two countries would have a direct impact on the peace process in Western Sahara.

#### The 1974 Census

Spain finally yielded under pressures exerted by the resistance groups and the international community. In December 1974, it carried out a census that registered 73,497 inhabitants of Western Sahara as a prerequisite for the self-determination referendum.<sup>55</sup> However, the results of this census are still questionable.<sup>56</sup> Obviously during this census, Spain did not reach remote areas of the territory to count the isolated Sahrawis due to the nomadic nature of the Sahrawis.<sup>57</sup> In addition, Morocco argued that the census did not count the Sahrawi refugees that fled Western Sahara to Morocco following the 1958 Franco-Spanish campaign.<sup>58</sup> While, the Polisario claimed that Spain counted only the male Sahrawis that had an identity card.<sup>59</sup> This debatable census was the first step in the referendum that was planned to take place during the first six months of 1975 and which would have given the Sahrawis the right to choose between independence and integration with Spain.

### The International Court of Justice Advisory Opinion

When Spain announced plans to hold a referendum in early 1975, Morocco announced its opposition and proposed along with Mauritania an arbitration by the International Court of Justice (ICJ) to decide to whom the sovereignty of the territory belongs. The question that the Court was tasked to look into was: “whether the territory, prior to the Spanish colonization, was *res nullius* (nobody's property), or without legal tie to a sovereign, or whether such ties existed, and if they existed, whether such titles vested in either Morocco or Mauritania, or both.”<sup>60</sup> The ICJ announced its conclusions on October 16, 1975, and as stated in the official document, “the materials and information presented on the Court show the existence, at the time of Spanish colonization, of legal ties of allegiance between the Sultan of Morocco and some of the tribes living in the territory of Western Sahara. They equally show the existence of rights, including some rights relating to the land, which constituted legal ties between the Mauritanian entities, as understood by the Court, and the territory of Western Sahara. On the other hand, the Court’s conclusion is that the materials and information presented to it do not establish any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco or the Mauritanian entity. Thus the Court has not found legal ties of such a nature that might affect the application of resolution 1514(XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the territory.”<sup>61</sup> In Moroccan opinion, prior to the Spanish occupation, the Western Sahara territory was considered as *Bled Siba*, a territory beyond the Sultan’s rule but under his spiritual

control.<sup>62</sup> While, Mauritania centered its assertion to the territory on shared cultural values that tied the Mauritanian entity with the Saharan tribes.<sup>63</sup>

King Hassan II interpreted the ICJ opinion as a victory for Morocco and as a proof of the Moroccan Sovereignty over the Sahara. He called for a “Green March,” in which 350,000 unarmed Moroccan civilians participated. On November 6, 1975, the Green March crossed into the Western Sahara and pushed the Spanish troops 12 km away to more secured positions.<sup>64</sup> The Green March provided Morocco with noticeable advantage on the ground. Morocco and Mauritania forced Spain to start direct negotiations about the Western Sahara. Losing too much leverage, Spain eventually agreed.

#### The Madrid Tripartite Accord

On November 14, 1975, Spain, Morocco and Mauritania signed the Madrid Tripartite Accord. Under this agreement, Spain passed to Morocco the administration of the northern two-thirds of the Western Sahara while Mauritania was given responsibility over the southern third of the territory. In February 1976, Spain completely withdrew from the Western Sahara and Morocco declared the Saharan dossier closed.<sup>65</sup>

#### Auto-declaration of SADR

When Spain withdrew from the Western Sahara, Morocco and Mauritania started to occupy to the Western Sahara territory, the Polisario viewed this annexation as a way to get around the process of decolonization that had been taking place for nearly a decade.<sup>66</sup> By the end of February 1976, the Polisario declared independence for the Western Sahara and named it the Sahara Arab Democratic Republic (SADR).<sup>67</sup> Morocco

refused to recognize the legitimacy of the SADR or to negotiate. Backed militarily by Algeria, Cuba and Libya, the Polisario started guerilla warfare against the Moroccan and the Mauritanian Armed Forces by early-February 1976.<sup>68</sup>

### War in Western Sahara

Encouraged by the abundance of weaponry and logistical support, the Polisario engaged in a full-scale insurgency against the deployed Mauritanian and Moroccan Armed Forces. The Polisario focused on guerilla warfare initially, although not completely, against what it believed the weaker rival of the two countries. Mauritania was obviously the primary target of the Polisario. In 1979, Mauritania, lacking resources and exhausted by three years of violent desert fighting, decided to abandon its claim of the southern part of the Western Sahara and signed a peace agreement with the Polisario.<sup>69</sup> Mauritania even recognized SADR and signed a secret provision that would have handed over the southern part of the territory to the Polisario upon Mauritanian withdrawal, but Morocco moved to occupy this vacated area and started to push the Polisario to the eastern borders with Algeria.<sup>70</sup> With military aid from Algeria, Libya, Cuba, and North Korea, the Polisario Front posed a considerable challenge to the Moroccan Armed Forces throughout the war until 1982, even though the Moroccans benefited from very large amounts of aid from the US and additional assistance from France, and Saudi Arabia. The Polisario was able to take advantage of its mobility due the variety of light weapons and the hit-and-run tactics it used in addition to a better knowledge of the wide-open desert terrain. This critical situation pushed Moroccan Armed Forces to adapt itself against highly mobile Polisario guerillas. In 1981, Morocco adopted a defensive posture made possible by building barrier lines known as “the Sand

Wall” or “the Berm.” The construction of this 1,550 mile wall proceeded in six phases and was completed in April 1987.<sup>71</sup> This defensive structure allowed Morocco to deny the Polisario the freedom of movement and take away its mobility advantage. Morocco gained military superiority over the Polisario despite the Russian cutting-edge weaponry handed to the Polisario by Algeria. By 1991, Morocco succeeded to occupy and secure about 80 percent of the disputed territory.<sup>72</sup> The outcome of the war seemed to be at the Morocco’s favor, but the Polisario gained the diplomatic war.

#### Recognition of SADR by the Organization of the African Unity

The Polisario and Algeria understood that they cannot win the Western Sahara War and started to focus their effort on the diplomatic battle in order to gather more recognition of the Saharawi Arab Democratic Republic. More recognition would put Morocco in a bad situation and under more pressure from the international community. Anthony Pazzanita mentioned that “by 1982, over fifty countries had recognized SADR.”<sup>73</sup> Furthermore, Algeria succeeded in getting the SADR a seat in the Organization of African Unity (OAU), currently known as African Union (AU). In 1984, SADR was officially recognized by the OAU.<sup>74</sup> Following this recognition, Morocco, which was a founding country of this organization, withdrew to protest against this move and stopped cooperating with this organization. However, the OAU would still play an important mediation role between the two parties during the Western Sahara War until the ceasefire that the organization of the United Nations played a major role in.

### Ceasefire between Morocco and the Polisario

The United Nations played a major role in bringing the peace to the Western Sahara conflict. While fierce fighting was going on, UN Secretary General Perez de Cuellar proposed a peace plan to Morocco and the Polisario. Through mediation and negotiations with both sides, The UN Secretary General was able to refine his plan by 1990 and submitted his proposal to the UN Security Council. This peace plan urged both parties to reduce their military presence in the Western Sahara and to go for a referendum that would give the Sahrawis a choice between integration with Morocco or full independence.<sup>75</sup> The plan, known also as the Settlement Plan, was far from satisfying the agendas of Morocco and the Polisario, but was accepted by both parties. The plan ended the military struggle between both parties on September 6, 1991. In the morrow of the ceasefire, the UN organized a mission for the Referendum in Western Sahara, called in French ‘Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental’ (*MINURSO*). The MINURSO was tasked to oversee a ceasefire, organize a referendum, and execute the process of voter identification.

### Peace process between Morocco and the Polisario

Disagreement on voting eligibility and efforts to develop voter lists delayed the referendum that was finally abandoned by 2000. The peace process would take another turning point when James Baker III, former US Secretary of State, was appointed as UN Secretary Personal Envoy to the Western Sahara in 1997. Baker would propose two plans during the time of his mandate: the Baker Plan I in 2001 and the Baker Plan II in 2003. Despite tremendous mediation efforts, Baker did not get the two parties to mutually agree on his plans. In 2004, Baker resigned leaving the peace process in an unbreakable

stalemate. In an attempt to fill the vacuum made by an absence of a definite settlement of this conflict, the UN Security Council has been regularly calling upon “the parties and states of the region to continue to cooperate fully with the United Nations to end the current impasse and to achieve progress towards a political solution.”<sup>76</sup>

In 2007, surprisingly with one day of difference, both sides submitted their proposals to the United Nations. On April 10, 2007, the Polisario submitted to UN Secretary General Ban Ki-Moon a draft called “Proposal of the Frente Polisario for a mutually acceptable Political Solution assuring the Self-Determination of the people of Western Sahara.”<sup>77</sup> One day later, Morocco submitted its proposal, called the “Moroccan Initiative for Negotiating an Autonomy Status for the Sahara within the Moroccan Sovereignty.”<sup>78</sup> On April 30, 2007, the UNSC voted the Resolution 1754 urging both parties to start direct negotiations, “in good faith and without preconditions.”<sup>79</sup>

Responding the UNSC call, Morocco and the Polisario went through four rounds of direct negotiations, under the auspices of the United Nations, between 2007 and 2008, in Manhasset, New York. These direct talks did not produce any agreement between both parties for reasons that are mentioned later on in this paper. Consequently, up to 2014, no political solution has been agreed upon for the benefits of the local population, leaving any resolution of this conflict seem elusive.

#### Primary Research Question

Is there a just and durable political solution for the long-lasting conflict in the Western Sahara that is acceptable to the principal parties Morocco and the Polisario, and to their principal international backers: US, France, Spain, and Algeria?

### Secondary questions

1. What is the nature of Western Sahara conflict?
2. Who are the main protagonists and their principal backers in this conflict?
3. How dependent are Morocco and the Polisario on the political, economic, and military support each receives from its backers (Algeria, US, France and Spain)?
4. What are the principal, relevant interests of the US, France, Spain, and Algeria in resolving or not resolving this dispute?
5. What were the previously proposed solutions to settle this conflict and why did these fail?
6. Based upon analysis of the conflict, what appears to be the minimal requirement for each side and its principal backers?

### Significance

The thesis paper deals with the study and analysis of a very important subject with direct impact on Moroccan national security and stability in North Africa. It also addresses significant impacts on international security since the threats of the terrorist groups are currently not suppressed in the Sahara and Sahel region. The resolution of the conflict in Western Sahara will have a positive impact on the economic, social and political situation in the Western Sahara. It may facilitate the integration of all the population in the Maghreb Arab Union resulting in more prosperity, development, and stability.



### Assumptions

For the purpose of this project, the primary assumption is that each side of this conflict will continue to seek a negotiated solution that can bring about a sustainable peace. The secondary assumption is that the Moroccan-Algerian relations will continue to be strained adding more difficulties to reach an agreement with the Algerian-backed group, the Polisario. The tertiary assumption is that the international allies of both sides will continue to support the United Nations for seeking a negotiated solution to the Western Sahara conflict. This project will be cognizant of these three assumptions and accept them as an initial foundation for the following research to build upon.

### Limitations

The foremost limitations are the lack of time and resources to conduct interviews with key officials of all the parties involved in the conflict of Western Sahara. The study will be limited to the published literature of the conflict.

### Delimitations

As its focus is the peace process itself, this study will limit itself to the period after the ceasefire in 1991 to the present time. This study will consider and evaluate in chronological order all the previously proposed solutions for this conflict. This paper will examine whether there is or there is not a solution to the conflict.

### Conclusion

The Western Sahara conflict is mainly a dispute over who should be sovereign over the territory: Morocco or the Polisario. Both sides claim support of the majority of the population living in Western Sahara. This conflict caused fierce fighting between

both parties that lasted until 1991 when the United Nations brokered a ceasefire agreement. Concerning a small size of population that still opposes any reintegration with Morocco, this conflict seems to be active more than it should. The UN, working closely with the key parties of the conflict: Morocco and the Polisario, is still trying to find a just and durable solution that can assure the stability and economic development of the region. However, since 1976, no solution has been agreed upon. Plans such as the Referendum, the two Baker plans, the Polisario proposal, and the Moroccan Autonomy Plan were all examined and failed to achieve any mutual agreement of both parties despite negotiations and mediation under the auspices of the United Nations. This made the United Nations dealing with one of the most complex conflicts in the world that when you think that you are close to the solution, you just start over. This paper will examine thoroughly the causes that made all the proposed solutions fail, determine the stakeholders in this dispute and ultimately propose a way out of the stalemate.

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<sup>1</sup>Erik Jensen, *Western Sahara Anatomy of a Stalemate* (Boulder, CO: Lynne Rienner Publishers, 2005), 21.

<sup>2</sup>Central Intelligence Agency, "The world factbook," <https://www.cia.gov/library/publications/the-world-factbook/geos/wi.html> (accessed December 11, 2013).

<sup>3</sup>Ibid.

<sup>4</sup>Alexis Arief, *Western Sahara* (Washington, DC: Congressional Research Service, 2013), <https://www.fas.org/sgp/crs/row/RS20962.pdf> (accessed April 14, 2013), 2.

<sup>5</sup>Jensen, 21.

<sup>6</sup>Ibid.

<sup>7</sup>Ibid.

<sup>8</sup>Ibid., 21-22.

<sup>9</sup>Tony Hodges, *Western Sahara, the Roots of a Desert War* (Westport, CT: Lawrence Hill Books, 1984), 4.

<sup>10</sup>Jensen, 22.

<sup>11</sup>*Ibid.*

<sup>12</sup>*Ibid.*

<sup>13</sup>*Ibid.*, 14.

<sup>14</sup>UNHCR, "2014 UNHCR Country Operations Profile-Algeria," <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e485e16> (accessed April 14, 2014).

<sup>15</sup>Carol Migdalovitz, *Western Sahara : Status of Settlement Efforts* (Washington, DC: Congressional Research Service, 2008), <http://fpc.state.gov/documents/organization/116570.pdf> (accessed April 14, 2014), 1.

<sup>16</sup>Paul, Rockower, "Possibilities of Peace in The Western Sahara" (Independent Study Project, School for International Training, Rabat, Morocco, 2002). <http://mysite.verizon.net/SJRockower/PSR/Sahara2009.pdf> (accessed March 11, 2014), 9.

<sup>17</sup>Jensen, 22.

<sup>18</sup>Almoravids, "Spain then and now," [http://www.spainthenandnow.com/spanish-history/11th-c-al-andalus-almoravids/default\\_146.aspx](http://www.spainthenandnow.com/spanish-history/11th-c-al-andalus-almoravids/default_146.aspx) (accessed May 9, 2014).

<sup>19</sup>Jensen, 22.

<sup>20</sup>*Ibid.*

<sup>21</sup>*Ibid.*

<sup>22</sup>Hodges, 25.

<sup>23</sup>Jensen, 25.

<sup>24</sup>On war, "Moroccan War 1859-1860," <http://www.onwar.com/aced/nation/sat/spain/fmoroccospain1859.htm> (accessed March 27, 2014).

<sup>25</sup>Jensen, 24.

<sup>26</sup>Rockower, 5.

<sup>27</sup>*Ibid.*

<sup>28</sup>*Ibid.*

- <sup>29</sup>Jensen, 24.
- <sup>30</sup>Desert-maroc, “Taraya,” <http://desert-maroc.com/tarfaya/> (accessed March 12, 2014).
- <sup>31</sup>Jensen, 24-25.
- <sup>32</sup>Minurso, “Milestones In The Western Sahara Conflict,” <http://minurso.unmissions.org/LinkClick.aspx?fileticket=b67SKR4JLik%3D&tabid=9540&language=en-US> (accessed December 15, 2013).
- <sup>33</sup>Anna Theofilopoulou, *The United Nations and Western Sahara, a Never-Ending Affair* (Washington, DC: United States Institute of Peace, 2006), <http://www.usip.org/sites/default/files/sr166.pdf> (accessed January 2, 2014), 6.
- <sup>34</sup>Rockower, 8.
- <sup>35</sup>*Ibid.*
- <sup>36</sup>*Ibid.*
- <sup>37</sup>Minurso.
- <sup>38</sup>Theofilopoulou, 2.
- <sup>39</sup>Derek Harvey, *The Regan Doctrine, Morocco, and the Conflict in the Western Sahara: An Appraisal of United States Policy* (Salt Lake City: University of Utah, 1988), 12-13.
- <sup>40</sup>Rockower, 9.
- <sup>41</sup>*Ibid.*
- <sup>42</sup>Hodges, 139.
- <sup>43</sup>Rockower, 10.
- <sup>44</sup>Hodges, 85.
- <sup>45</sup>*Ibid.*
- <sup>46</sup>Rockower, 6.
- <sup>47</sup>*Ibid.*
- <sup>48</sup>*Ibid.*
- <sup>49</sup>*Ibid.*

<sup>50</sup>Ibid., 7.

<sup>51</sup>Ibid.

<sup>52</sup>Ibid.

<sup>53</sup>Ibid.

<sup>54</sup>Ibid.

<sup>55</sup>Minurso.

<sup>56</sup>Rockower, 10.

<sup>57</sup>Ibid.

<sup>58</sup>Ibid.

<sup>59</sup>Ibid.

<sup>60</sup>New York City Bar, *The Legal Issues Involved In The Western Sahara Dispute* (New York: New York City Bar Association, 2012), <http://www2.nycbar.org/pdf/report/uploads/20072264-WesternSaharaDispute--SelfDeterminationMoroccoLegalClaims.pdf> (accessed February 3, 2014), 11.

<sup>61</sup>ICJ, “Western Sahara Advisory Opinion,” October 16, 1975, <http://www.icj-cij.org/docket/files/61/6197.pdf> (accessed February 4, 2014), 100.

<sup>62</sup>Rockower, 12.

<sup>63</sup>Ibid.

<sup>64</sup>Ibid., 13.

<sup>65</sup>Jensen, 28.

<sup>66</sup>Harvey, 13.

<sup>67</sup>Staff Researcher, *War and Insurgency in the Western Sahara* (Carlisle, PA: Strategic Studies Institute and US War College Press, 2013), <http://www.strategicstudiesinstitute.army.mil/pdf/files/PUB1152.pdf> (accessed January 5, 2014), 16.

<sup>68</sup>Ibid., 34.

<sup>69</sup>Ibid., 16-17.

<sup>70</sup>Rockower, 15.

<sup>71</sup>Harvey, 30.

<sup>72</sup>Staff Researcher, 17.

<sup>73</sup>Anthony Pazzanita, "Morocco versus Polisario: a Political Interpretation," *The Journal of Modern African Studies* 32, no. 2 (1994), <http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=2512728> (accessed February 10, 2014) .

<sup>74</sup>Rockower, 17.

<sup>75</sup>Jensen, 39-40.

<sup>76</sup>Moroccan-American Center for Policy, "The Moroccan Initiative in the Western Sahara," <http://moroccanamericanpolicy.com/MoroccanCompromiseSolution041107.pdf> (accessed February 9, 2013).

<sup>77</sup>UN Security Council, S/2007/210, "Proposal of the Frente Polisario for a mutually acceptable political solution that provides for the self-determination of the people of Western Sahara," April 16, 2007, <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/MINURSO%20S2007%20210.pdf> (accessed May 15, 2014).

<sup>78</sup>Royal Consultative Council for Saharan Affairs (CORCAS), "Moroccan Initiative For Negotiating An Autonomy Statute For The Sahara," [www.corcas.com/eng/Home/tabid/486/ctl/Details/mid/1636/ItemID/1210/Default.aspx](http://www.corcas.com/eng/Home/tabid/486/ctl/Details/mid/1636/ItemID/1210/Default.aspx) (accessed December 15, 2013).

<sup>79</sup>Minurso.

## CHAPTER 2

### LITERATURE REVIEW

#### Introduction

The main objective of this thesis paper is to point out the gaps that obstructed the achievement of a negotiated political solution to the conflict of Western Sahara and to clarify their effects on the future of the peace process led by the United Nations. Through analysis, suggestions will be made to overcome the deadlock in the peace process by addressing the major differences in the views of the two concerned parties in this conflict. The information needed for analysis is listed in this chapter. The information is organized by publication; the primary sources will be examined in priority, followed by the secondary sources. So for this thesis, the primary sources used for review are: an interesting book, called *Western Sahara: Anatomy of a Stalemate* by Erik Jensen, some key UNSC Resolutions adopted since 1991, and UN Secretary General Reports that represent the milestone of this conflict. The secondary references that will be examined are the major analyses that represent the views of the key parties. These secondary sources are: *Western Sahara: Is there light at the end of the tunnel* by Dr. Issaka K. Souaré, *Possibilities Of Peace In The Western Sahara* by Paul Rockower, *Not Another Failed State: Toward a Realistic Solution in the Western Sahara* by Peter Pham, and an interview with a former UN military observer.

#### Review of the primary sources

Erik Jensen (2005), in his book titled *The Western Sahara: Anatomy of a Stalemate*, he reviews the chronological events that occurred in the Western Sahara. He

began his story prior to the Spanish colonization of the territory, and traced how the administration of the Western Sahara ended up with the Kingdom of Morocco. He describes how the UN failed to provide a definite and satisfactory resolution to both parties, Morocco and the Polisario.

Jensen notes that Morocco has never recognized the SADR. He observes that Morocco considered the referendum as a confirmatory referendum that would give Morocco justice on its Sovereignty over the Western Sahara. He believes that there have been moments when Algeria might negotiate with Morocco the end of the conflict. He acknowledges that the conflict happened in the cold war era when Morocco was an unwavering anti-communist and supporter of the Western camp. At the same time, the Polisario, backed by Algeria, Libya and Cuba, sympathized with the Soviet Union. He reports that the Madrid Accords were signed between Morocco, Mauritania, and Spain and were accepted by the UN General Assembly. He reports that the referendum could be decided only by the Saharan populations originating in the territory. He emphasizes that the Polisario insisted on the 1974 Spanish Census as the only legitimate electoral roll to decide the outcome of the referendum. He reports that Morocco claimed that the way the Settlement Plan was implemented would have alienated two-thirds of the Saharan population indirectly accusing the identification process that was based on 1974 Spanish Census. He argues that the identification process was a failure, because it did not recognize all the Sahrawis that were eligible to take part in the referendum. He reports that by the end of this identification process, the Polisario had every reason to push ahead for the referendum, while Morocco would not let it happen.



Jensen observes that during the entire peace process the UN Security Council had never mentioned sanctions, coercion or even implied the use of force to gain the parties' compliance with the plans. He reports that the Polisario were even willing to consider other plans, while it never dismissed the 1991 Settlement Plan. He agrees that the Settlement Plan, although was not successful, brought about the ceasefire that is considered as a great accomplishment for the UN. However, it made a solution to the conflict less imperative for the international community. He acknowledges that the UN was aware that a referendum, whose results would be accepted by both parties, was elusive.

Jensen notes that the Baker Plan I of 2001, known also as the Framework Agreement, although it gave large autonomy to the Polisario and freedom to elect their own government within Moroccan Sovereignty, was rejected by the Polisario that considered it as way to get around the Sahrawi's self-determination right, and this view was shared by Algeria that along with the Polisario claimed the resurrection of the 1991 Settlement Plan. He mentions that Morocco did not initially reject the Baker Plan II of 2003, counting on the refusal of the Polisario ending it by accepting this plan without abandoning the 1991 Settlement Plan. Morocco was concerned by the inclusion of the independence option and the prospect of an imposed settlement. He mentions that after the failure of the Baker Plan II, lobbying was used in the UNSC to agree on a resolution that recommended the parties to seek the achievement of a just, lasting and mutually agreed political solution with respect the self-determination of Sahrawi people. He says that US President Bush reassured the Moroccan King Mohammed VI that the United

States would not impose any resolution that Morocco considers unacceptable, the same support that France shared through its President Jacques Chirac.

Jensen acknowledges that the continuing conflict of Western Sahara is beneficial to Algeria as a ruthless rival to Morocco in the region; Morocco had benefited from keeping its large Army deployed and away from the internal political issues, while exploiting the natural resources of the Western Sahara. However, he mentions that the Polisario, who were dependent on international aid, would bet on instability within Morocco to take advantage of the situation. He says that France is the biggest stakeholder in northwest Africa due to the important investments, trade, and historic ties with Morocco. The United States considers Morocco as a strategic ally in the region and its interests would be at risk with instability in the region. He emphasizes that France and US, two permanent members of the UNSC, had never pressed Morocco to implement the act of self-determination nor force Morocco to quit Western Sahara. He reports that Negotiation without threat of force is worthless. He mentions that during 1997, the Berlin 2000 or the London 2000 direct talks between Morocco and the Polisario, nothing was agreed upon as the both sides could not get out of the winner-takes-all mentality and differences got deepened every time the parties had direct talks.

Jensen acknowledges that, as James Baker said, self-determination can take multiple forms: achieved by war, revolution, through election or agreement. He disagrees that war is a solution, because it can enlarge the conflict, implying the involvement of Algeria in potential hostilities. He acknowledges that the demographic situation continues to shift with the Conflict, taking longer to reach a negotiated solution and therefore, the 1974 census becomes irrelevant as a principal reference for determining the electoral roll

for future referendum. He claims that even a vote for a regional autonomy could make Morocco angry, but Morocco has agreed on autonomy since 2007. He emphasizes that the privileges that Morocco is according to the Sahrawis settlers to gain their sympathy come at the expense of Moroccan population. He agrees that the discovery of oil could benefit Morocco but would complicate any solution. He emphasizes that any settlement would require Algerian approval since the Polisario has always been heavily dependent on Algeria and any possible negotiated resolution of this conflict remains elusive.

### UNSC Resolutions

In the following paragraphs, the author reviews some of the UN Security Council resolutions adopted for the peace process in the Western Sahara between 1991 and 2013. The researcher selected the UN document around the key dates that shaped the peace process in the Western Sahara. Although this paper is written in 2014, there is no UNSC resolution up to this time.

UNSC Resolution 690, dated April 29, 1991, acknowledges the organization and the supervision by the United Nations of a referendum for self-determination of the Sahrawi population and requested the Secretary General to keep the UNSC posted on the status of the settlement plan. It mentions the cooperation of the organization of the African Unity (OAU) in the establishment of the Settlement Plan.

UNSC Resolution 1108, adopted on May 22, 1997, extends the Minurso Mandate in Western Sahara. It emphasizes the implementation without delay of the referendum as agreed with both parties in the 1991 settlement plan.

UNSC Resolution 1238, adopted on May 14, 1999, suggests the resumption of the identification of the voters illegible to take part in the referendum. It reports the

acceptance by both parties of the set of measures made by UN Secretary-General Kofi Annan in regards to the identification, the appeals and the new schedule for the referendum.

UNSC Resolution 1292, adopted on February 29, 2000, reiterates the commitment of the United Nations to implement what the parties have agreed on, concerning the Referendum, during the 1991 settlement plan. It acknowledges the existence of potential problems and urges the UN Secretary-General Personal Envoy to Western Sahara to explore new solutions of these disputes while consulting with both parties.

UNSC Resolution 1301, adopted on May 3, 2000, urged the parties to provide the UN Secretary General Personal Envoy with proposals agreed upon to overcome the problems that are hindering the implementation of the Settlement Plan.

UNSC Resolution 1309, adopted on July 25, 2000, notes the area of disagreements between Morocco and the Polisario over the Settlement Plan. It urges both parties to explore another mutually agreed solution for the conflict over Western Sahara.

UNSC Resolution 1359, adopted on June 29, 2001, while taking notes of the Polisario's proposals to resurrect the implementation of the Settlement Plan, considers the draft of the Framework Agreement devised by UN Secretary-General Personal Envoy to Western Sahara, James Baker, without dismissing self-determination for the Sahrawi population. It urges both parties to negotiate the draft of Framework Agreement and also other possible political solutions that could achieve a mutually agreed upon resolution.

UNSC Resolution 1394, adopted on February 27, 2002, considers the four options (described later in this paper) mentioned in this report for the future of the conflict. It observes the lack of cooperation of both parties with the UN to resolve this dispute.

UNSC Resolution 1495, adopted on July 31, 2003, acknowledges that the unsolved conflict Western Sahara hinders the development of the Maghreb region. It supports, under Chapter VI, the Baker Plan II as an optimal solution to the conflict if mutually agreed upon by both parties. It insists on the Polisario to free all remaining prisoners of war with respect to the international humanitarian law.

UNSC Resolution 1541, adopted on April 29, 2004, reiterates the UN commitment to help both parties to achieve a political solution that guarantees the self-determination of the Sahrawis people and notes that this solution requires the cooperation of both parties and the neighboring countries (Algeria and Mauritania).

UNSC Resolution 1754, adopted on April 30, 2007, qualifies the Moroccan proposal for autonomy of Western Sahara, presented to the UN Secretary General on April 11, 2007, as a serious and credible efforts towards to the settlement of the conflict, while it acknowledges taking note of the proposal that the Polisario submitted to the UN Secretary General on April 10, 2007. It insists on the need for direct negotiations without preconditions.

UNSC Resolution 1813, adopted on April 30, 2008, mentions that the status quo is not an acceptable solution, and that progress of the negotiations will have to improve the living conditions of the Sahrawi population. It urges both parties to continue negotiations with sponsorship of the UN.

UNSC Resolution 1871, adopted on April 30, 2009, continues urging both parties to carry on informal talks in order to organize a fifth round of negotiations under the auspices of the United Nations.

UNSC Resolution 1920, adopted on April 30, 2010, acknowledges taking note of the four rounds of direct negotiations between both parties, and the two rounds of informal talks held in Austria and USA. It welcomes the progress made by the parties to enter into direct negotiations. It reiterates the UN commitment to assist both parties towards a political solution of the conflict. It urges both parties to continue negotiations without preconditions.

UNSC Resolution 1979, adopted on April 27, 2011, insists on both parties to overcome the impasse in the peace process and continue negotiations without preconditions to achieve a mutually agreed political solution. It welcomes the creation of the Moroccan Human Rights Council and the suggested component for Western Sahara.

UNSC Resolution 2044, adopted on April 24, 2012, notes the importance of advances in human rights situation in Western Sahara and the Tindouf camps. It continues to urge both parties to continue negotiations and considering efforts made since 2006, referring to the Moroccan Autonomy Plan, the Polisario Proposal, and the four rounds negotiations held in Manhasset between 2007 and 2008.

UNSC Resolution 2099, adopted on April 25, 2013, acknowledges that a political solution for the conflict of Western Sahara would enhance cooperation between Maghreb countries. It urges both parties to continue formal and informal negotiations under the auspices of the UN and call upon them to prepare for a fifth round of negotiations to agree upon a political solution for the conflict while appreciating the cooperation of the neighboring countries.

### UN Secretary-General reports to the UNSC

These following paragraphs review the UN Secretary-General reports concerning the situation in the Western Sahara from 1994 to 2013. The author chose to review the reports that were published around the milestone dates of the conflict of Western Sahara. The review of these balanced and unbiased reports, coming from an impartial organization that dealt with conflict resolutions since its early days, will help the reader acquire a non-distorted understanding of the Western Sahara conflict.

UN Secretary-General Report (S/1994/1420) dated December 14, 1994, notes that the UN Secretary-General visited the Mission area, along with his Deputy Special Representative Erik Jensen. During this visit, he met some officials of the Algerian Government. The Algerians emphasized the importance for both parties to stick firmly to the provisions of the Settlement Plan that Algeria judges as important for a credible referendum. During this visit, the Polisario leaders shared some concerns about the identification and registration of the voters that could damage the implementation of the settlement plan. These concerns were mainly about the criteria for eligibility to participate in the referendum. They proposed a conference as a forum for direct talks, between the concerned parties, to overcome the unsolved issues concerning the referendum. The UN Secretary-General, during his visit to Morocco, was assured by the Moroccan commitment to carry on the implementation of the Settlement Plan. The UN Secretary-General acknowledges difficulties and delays in the identification process due to the huge number of application forms at the last minute. He mentions that the identification is a complex and time-consuming process. He observes that the size of the territory and the dispersed nature of the population besides the key role of tribal leaders

in the identification pose technical and logistical issues to the process. He suggests that if the identification and registration team is enlarged and reinforced, the process will be done by March 31, 1995, and June 1, 1995 would be the D-Day for the beginning of the transitional period prior to the referendum.

UN Secretary-General Report (S/1997/882) dated November 13, 1997, notes that both parties agreed to resume the identification process as agreed during the Houston Agreement in 1997. Both parties agreed on alternative sheikhs to help with the identification process. The Minurso acknowledges both parties of its intention to open 12 centers for identification and registration and the parties agreed. The report says that both, Moroccan Armed Forces and the Polisario forces were cooperative with the Minurso observers. It reports that the referendum gives choice between independence and integration within Morocco and should be conducted with no constraints over the Sahrawi population. The report emphasizes that in, the 1988 proposals (prior to the Settlement Plan) and the Houston Agreement, both parties recognized the authority of the United Nations as the only organization that can assure a free and transparent referendum. It reports that the postponement of the transitional period due to impasse in the identification process made the referendum, which was supposed to take place in January 1992, being delayed. It insists that the stalemate happened because each party interpreted, in its own manner, the provisions of the Settlement Plan. It reports also that both parties promised to release all prisoners of war. It says that both parties reiterated their intention to reduce their respective forces in Western Sahara prior to the referendum as agreed upon in the Settlement Plan. It mentions that UNHCR would organize centers for the Sahrawis who want to return with their families prior to the referendum and the



time estimated for the return of all the voters is 15 weeks if the referendum is going to take place on December 7, 1998. It mentions that \$50 million dollars is the initially estimated budget for the repatriation program. It mentions that as agreed by both parties during direct talks in London, on July 19, 1997, to overcome the deadlock in the identification process, 117,000 persons will be called to get identified once again. The report says that the identification process is complex and lengthy since the 1974 Spanish Census subcategorized the Sahrawi into 88 groups and these groups are scattered around Western Sahara, Morocco, Algeria and Mauritania. It reports that in every identification center, there must be two sheikhs representing each side. The UN Secretary-General recommended the referendum be held before the end of 1998. The report mentions that both parties think that the referendum is the best way to settle the conflict. It emphasizes that the completion of the identification process is a paramount factor for the implementation of the Settlement Plan. The UN Secretary-General praises the efforts made by his personal envoy for holding successful direct talks between the parties in different places at different times, for instance, London July 19, Lisbon August 29, and Houston September 16, 1997.

The UN Secretary-General Report (S/2001/613) dated June 20, 2001, notes that James Baker III, the UN Secretary-General personal envoy to Western Sahara, met the Moroccan and Algerian authorities along with the Polisario leaders to discuss his draft Framework Agreement to solve the conflict of Western Sahara. The report mentions that the Polisario would not consider a proposal if it does not include the independence as an option. The report says that the Algerian president presented a letter to both James Baker and the UN Secretary Kofi Annan, in which he points out what he considers the

weaknesses of the draft. It acknowledges that the Polisario deny any integration with Morocco and sent a letter containing proposals to resurrect the Settlement Plan. The report says that 1,479 Moroccan prisoners of war are still in captivity in Tindouf (Algeria) for more than 20 years, which is a serious problem as the report mentions. It notes that the absence of a sustainable solution had a damaging effect on the quality of life on thousands of Sahrawi refugees.

The report emphasizes that none of the major provisions of the peace plan has been fully respected by both parties mainly due to differences over how the parties understand or interpret them. It notes that the inability of both parties to agree on an electoral list is devastating to the Settlement Plan. The reports mentions a statement of the former Secretary-General, Javier Perez de Cuellar who said on December 19, 1991 that, “because of their nomadic way of life, the people of the territory move easily across the borders to neighboring countries, where they are received by members of their tribes or even of their families. This ebb and flow of people across the borders of the territory makes it difficult to take a complete census of the inhabitants of Spanish Sahara and also poses the complex problem of the identification of the Saharans of the territory and makes it even more difficult to take a satisfactory census of refugees.”<sup>1</sup> The report acknowledges the tribal structure of the Sahrawi is another issue. It says the Polisario recognizes the Sahrawis counted in the 1974 Spanish census are the only illegible voters to take part in the referendum, while Morocco considers that other Sahrawis, who were in the Western Sahara and were not counted by the Spanish authorities and those who had fled to Morocco prior to 1974, have also the right to take part in the referendum. The report mentions that the deadlock in the identification process happened at the end of

1995. It reports that Baker held four direct talks between both parties to overcome the stalemate in the identification process. It mentions that the Houston Agreements brought about the resumption of the identification process. It emphasizes that the process of identification was completed by the end of 1999, but with remaining 131,038 appeals. It suggests that the main reason for the delays in the identification process were the attempts of both parties to control the process.

The report mentions that direct negotiations were important to overcome obstacles and finding a sustainable solution. It mentions that the UN was unsuccessful to hold direct talks between both parties during 1994 and 1995. Both parties did meet in July 1996 in Geneva to build confidence, and disagreed on the second meeting in 1996 when the Polisario brought independence to the discussion. It says that during the 2000 meeting, organized by Baker, no proposals were made by any party. It reports that Morocco had pointed out four obstacles hindering any progress in the Settlement Plan: appeals, reversal of 7,000 applicants, the inclusion of Sahrawis who reached voting age in 1993 and not yet included, and repatriation of refugees. It reports that Moroccan intended to include all Sahrawis to decide their fate in the self-determination referendum. It emphasizes that every time the UN solves an issue another one arises. It reports that a negotiated solution could bring a mutually agreed political solution. It emphasizes that both parties have not agreed on the outstanding problems dispute concerning their repeated promises to move forward. Baker reiterated to both parties that, “there are many ways to achieve self-determination. It could be achieved through war or revolution; it could be achieved through elections, but this required good will; or it could be achieved through agreement, as had been done by parties to other disputes.”<sup>2</sup> It mentions that

Morocco is concerned that two-thirds of Sahrawis would be dismissed from the process if things move on without considering them. It notes that Morocco was ready to start serious direct talks. It mentions that the cost to run Minurso was \$420 million from 1991 to June 30, 2001. It reports that the 1988 proposal to end the dispute was accepted by both parties, and the UN had given extra explanation on the points that posed problems to the parties and what they could solve if direct talks were engaged at that time; however, all attempts to bring the parties together failed prior to the 1997 four rounds organized by Baker. It emphasizes that any solution to the conflict requires cooperation of both parties in addition to Mauritania and Algeria as neighboring countries.

The report says that the UN Secretary-General stated that, “my personal envoy has concluded that there are serious doubts as to whether the Settlement Plan can be implemented in its present form in a way that results in an early, durable and agreed resolution of the dispute over Western Sahara. I fully concur with this view.”<sup>3</sup> It mentions that Baker urged Morocco, the Polisario, Algeria, and Mauritania to examine his Framework Agreement and engage in direct talks about it. The report acknowledges that the Framework Agreement offers the Sahrawis an opportunity to elect their government within Moroccan sovereignty, while a referendum over the final status would be held within five years. It states also that the Settlement Plan would not be dismissed. It acknowledges that this framework is an opportunity that should be seized by all parties including the neighboring countries to end the dispute and focus on cooperation in the Maghreb region. It emphasizes that Algerian position about the Framework Agreement, implied by the letter that the Algerian President sent the UN Secretary General, was against it and reinforced the return to the Settlement Plan to which Algeria gave full

support. Algeria considered the Framework Agreement as moving away from what both parties had already achieved. Algeria argued that this plan favors the integration within Morocco. Algeria pointed out that the plan refers to the Population of Western Sahara and not to the Sahrawi people. Algeria mentioned that the election of the transitional government, voted by the residents and not the voters identified in the Settlement Plan, meant the Polisario is not favored.

Algeria mentioned that the Framework Agreement would endorse the present situation and made it last forever. Algeria believes that the plan (Framework Agreement) if implemented, would favor Morocco. The report states that the Polisario sent a proposal to overcome the obstacles that impeded the Settlement Plan. The Polisario said that publication of the appeals comes before the publication of the final list of voters and not after. They also stated they are ready to allow the commission to reexamine their eligibility, and allow only those individuals who are 18 years of age by the end of 1993 if their fathers' eligibility is approved. Morocco considers all the Saharans who are 18 years of age by the end of 1993 to be eligible to vote. The Polisario reiterated its commitment to respect the results of the referendum. The Frente linked the repatriation to the Sahrawi refugees to the improvement of the security conditions.

UN Secretary-General Report (S/2003/1016) dated October 16, 2003, notes that the UN Secretary Personal Envoy met a Moroccan delegation to discuss issues relating to the peace plan and the delegation asked for time to consult before giving any further response. It acknowledges that on October 7, 2003, Minurso had transferred the files of the identification commission to the UN office in Geneva for safe storage. This operation was monitored by the UN civilian police officers that escorted them to Laayoune airport.

It reports that the Polisario released 243 Moroccan prisoners of war by September 2003, while it is still keeping 914 other prisoners. It observes that the Polisario is still imposing some restrictions on the Mission's freedom of movement. It emphasizes that there may be a shortage in food for the Western Saharan refugees in Tindouf because the interest in refugee assistance program remains low. It acknowledges that the cost of Mission came to \$511.4 million since its inception. It reports that Morocco has rejected the peace plan made by Baker, known as Baker Plan II, while the Polisario that previously rejected the plan now approves it. The report observes that Morocco rejected the plan because it gave only two ballot choices: integration and independence; when another ballot was added to the plan to include autonomy as a third ballot, Morocco did not give its opinion up until September 17, 2003. The report emphasizes that Baker Plan II is a fair and balanced approach to solve the conflict, and Morocco has to seize this opportunity since the Polisario has accepted the plan.

UN Secretary-General Report (S/2007/619), dated October 19, 2007, notes that the Moroccan King, Mohamed VI was ready to negotiate a compromise to solve the Western Sahara conflict within Moroccan sovereignty. It mentions that the Polisario deemed the action by Morocco to organize elections in Western Sahara as illegal, while it refuses a free self-determination referendum. It says that both parties held, under the auspices of the UN, two rounds of direct negotiations in Manhasset, New York. The first round of negotiations took place between June 18 and 19, 2007, while the second ones were held between August 10 and 11, 2007. It reports that while both parties agree on self-determination and UNSC resolution 1754 (2007), they diverge on the interpretation of the self-determination. It observes that despite both parties not showing or stating any

preconditions at the beginning of negotiations, their pre-established positions (Morocco sticks on autonomy; the Polisario sticks on self-determination) made them reject each other's views and made a negotiation seem like an exchange of opinions. It mentions that there is a risk that the peace process enters into a long period of negotiations and status-quo, since both parties have divergent views about the conflict. It reports that the UN Secretary-General Personal Envoy reminded both parties that nothing is agreed until everything is agreed to motivate both parties to get into productive negotiations. It emphasizes the asymmetric aspect of both parties' proposals (2007). It reports that UNSC resolution 1754 took notes of both parties' proposals and urged the parties to enter into direct negotiations. Therefore, both proposals should be included in the agenda that make it contradict with negotiations without preconditions. It acknowledges shortfalls and delays in food aid that has a detrimental effect on the quality of life of Western Sahara refugees in Tindouf.

UN Secretary-General Report (S/2013/220) dated April 8, 2013, notes that many demonstrations happened in the Western Sahara mainly to protest against the provision of social services although some took another form of support for the Polisario and the Saharans detained after the Gdim Izik events in 2010. It points out that several human rights organizations visited Western Sahara and carried out talks with both parties. It reports that the Moroccan Military tribunal sentenced 9 out of 25 Saharan accused of killing 11 Moroccan security forces during the dismantling of the Gdim Izik camp. It emphasizes that the Moroccan withdrawal of confidence in Christopher Ross, the UN Secretary-General personal envoy, triggered a four-month pause in mediation process before the UN Secretary General convinced Morocco to end it on August 25, 2012.

The report mentions that the process is on stalemate and the UN Secretary-General Personal Envoy tried to gather international support to resurrect the negotiations between both parties. It acknowledges Moroccan frustration since five years of negotiations with the Polisario had led to nothing. The UN Secretary-General Personal Envoy stated that, “the international community remained divided on the Western Sahara question and that current negotiating framework, governed by Chapter VI of the Charter of the United Nations, did not permit the United Nations to impose a solution on either party.”<sup>4</sup> The report says that the Saharan society is politically divided between pro-autonomy and those pro-independence. It mentions the Polisario’s frustration at the UN’s impotence to organize a referendum for self-determination. The frustration is spreading and growing among the youth due to the lack of employment opportunities that some Sahrawis warned it may push young people to join criminal and terrorists’ networks, but UN Secretary-General Personal Envoy warned that this move could be detrimental to the Sahrawis.

The report mentions that the Algerian president insisted that Algeria was not a party in the conflict and any solution should consider a multi-option referendum. It acknowledges that Mauritania stated its positive neutrality in the conflict and was ready to help the mediation process. It reports that the Personal Envoy received many Saharan dissidents of the Polisario leadership inside Tindouf. It says there was a fragile security and stability situation in the Sahel and Sahara, when armed groups linked to Al-Qaida seized north Mali in 2012; this did not help prompting the international community readiness to resolve the dispute. It also says that regional tension yields a lot of influence on the countries of the region to strengthen their positions. The Personal Envoy states



that, “the passage of time can only worsen the situation.”<sup>5</sup> The Personal Envoy urges Algeria and Morocco to improve their relations out of the Western Sahara conflict and engaged in exchanging oral messages between the officials of the two countries. It acknowledges that Madrid and Paris supported an urgent resolution to the conflict. The report says that the porous nature of the borders made the security issues become more serious where terrorists can infiltrate everywhere. This included the kidnapping of three humanitarian aid workers from Tindouf in 2011 that made concerns over safety increase; this pushed the Government of Spain to withdraw 17 aid workers from Tindouf. The report notes that the rise of instability around the Sahel and Sahara region made a resolution of the Western Sahara conflict an urgency. It notes that this dispute is detrimental to the integration of the regional countries into a greater Maghreb, which can reap social, economic, commercial and stability advantages to the whole region.

#### Review of the secondary sources

The following paragraphs review three of the most important analyses made about the Western Sahara Conflict. These analyses are considered secondary sources for this thesis. They provide valuable information for better understanding this complex dispute.

Dr. Issaka K Souare, in his report, Western Sahara: Is there light at the end of the tunnel?, notes that there was an argument whether or not Western Sahara should be considered as a question of decolonization and this question was brought up by the UN General assembly 40/50, adopted in December 1985. He acknowledges that the conflict started in the beginning of the 1970s when Spain was forced to announce its departure from the territory that Morocco occupied in February 1976. He mentions that Morocco had claimed the Western Sahara territory, the Mauritanian territory, and parts of Algeria

as Moroccan territory that was part of the country prior to the colonization era. He emphasizes that many Sahrawis resistant groups that were formed to fight Spain and the Polisario were the most tenacious groups.

The author argues that despite the questionable sovereignty of both Morocco and Mauritania over the territory, according to the ICJ opinion those countries occupied the territory. War between them and the Polisario started in 1976 and lasted until 1991 when the UN brokered a ceasefire. He mentions the Algerian support to the Polisario remained steadfast in military, financial, and diplomatic domains since 1976 when the Polisario unilaterally declared the SADR as an independent country representing the Sahrawi refugees that are still living in Tindouf (Algeria). He observes that SADR was recognized by the OAU in 1984 and Morocco quit the organization that participated in its foundation. He reports that the OAU along with the UN participated in the elaboration of the peace plan that brought about the ceasefire in 1991. He agrees that Africa was divided between supporters and non-supporters of Morocco. He mentions that the Settlement Plan was accepted by both parties that expressed opposing views regarding essential issues such as the 1974 Spanish census that was to be the basis of the identification of the voters. He acknowledges that the Polisario did not want any amendment of the Settlement Plan that became obsolete over time. He mentions that the identification process got in a stalemate between early 1992 to mid-1996 before the Houston Agreement that allowed its resumption in 1997. He notes that the Framework Agreement, devised by Baker in 2001, was accepted by Morocco while being refused by Algeria and the Polisario; they accused Baker of preparing the territory to be fully integrated within Morocco. He emphasizes that the Polisario and Algeria proposed a division of the territory, a proposal that

Morocco did not comment on. The author notes that the Polisario and Algeria accepted the Baker Plan II, but Morocco refused it because it contains the independence option, a ballot that Morocco accepted when it signed the Settlement Plan of 1991. He mentions that both parties met many times in the past: Bamako in July 1978, Algiers in April 1983, Lisbon in January 1985, and Saudi Arabia in July 1988.

The author reports that both parties made peace proposals of their own in 2007, Morocco proposed a plan for an autonomy of Western Sahara within its sovereignty, while the Polisario proposed holding a referendum for self-determination and guaranties for Moroccan settlers in Western Sahara in addition to concessions about the natural resources to share with Morocco. He mentions that more than \$600 million was spent without solving this conflict and Baker Plan II was the optimistic and realistic solution that Morocco could have seized. He emphasizes that the dispute over sovereignty was the main issue in this conflict. He argues that both parties did not fully cooperate with the UN or to try to negotiate a serious settlement of the conflict. He notes that after the ceasefire, the urgency of solving this conflict was tremendously reduced. He argues that the winner-takes-all mentality, depicted in the Referendum and both Baker Plans since they contain a referendum, was the cause of the failure of the peace process. Each party tried to ensure its victory in the game by all means; these same thoughts are shared with Mundy (2004) and Mohsen-Finan (1999). He acknowledges that *Monde Diplomatique* (2000) observed that a Moroccan loss of the referendum would not be politically survivable. If Morocco won, Algeria would reject the results or both countries may get involved in another direct war. He notes that Jensen mentioned that the referendum was just a way to get both parties to negotiate that was never meant to take place.

The author notes that the stakes of Morocco in this conflict were to conserve its honor in the region after the defeat of Mauritania, and the financial benefits made by the exploitation of the natural resources. He mentions that Western Sahara is a national matter for the Moroccans and this issue does not depend on the king alone. He notes that the Moroccans do not consider the Western Sahara conflict as a decolonization issue, but rather a recovered territory once occupied by Spain. He mentions that Morocco and the Polisario share the same stakes. He argues that the Algerian stakes are an economic gain from a newly independent country, and the coastlines on the Atlantic Ocean that Algeria does not have. He acknowledges that stakes for France and the United States are the stability of their important ally in the region, Morocco; this same view is shared by Soudan (2006) and Mundy (2006). He mentions that the acceptance of Morocco to hold a referendum (the 1991 Settlement Plan) and end the military struggle was a real compromise that proved a good intention of Morocco to negotiate a peaceful solution. He also notes that the Polisario's proposal to divide the territory was another sort of compromise mentioned once again in its 2007 proposal. He observes that the favorable reality on the ground to Morocco influences both parties' positions.

Paul Rockower, in his report, "Possibilities of peace in the Western Sahara," notes that Algeria, which supported the Polisario for more than thirty years, has a high stake in the conflict. He claims that Algeria is using the Polisario in a similar way that Syria used Hezbollah against Israel in what is known as 'Proxy War.' He mentions that the conflict is over a regional hegemony between Morocco and Algeria. He claims that an independent SADR would be under Algerian control. He notes that the Western Sahara benefits Morocco through exploiting its natural resources. He agrees that even unsolved,

the conflict is still considered as somewhat peaceful. He mentions that the referendum was unsuccessful because of disagreement around who Sahrawi is or who has the right to vote. He relates the history of Western Sahara and claims that the territory used to be under Moroccan spiritual authority or what is known as 'Bled Siba'. Under this authority, the Sultan had no political control and agrees that prior to colonization, Morocco was divided between Bled Siba and Bled Makhzen, where the sultan had both Spiritual and political controls.

The author mentions that Greater Morocco was a political objective that the Moroccan Istiqlal party had planned to achieve after Moroccan independence in 1956. This political objective was a sort of a dream to recover what was believed to be Moroccan territory prior to European colonization. He talks about the decolonization of the Western Sahara and the resistance efforts made by the Sahrawis and the Moroccan resistance groups. He talks about the 1974 Spanish census and how Spain tried to organize a referendum that would serve its agenda in Western Sahara prior to what is known as the Moroccan Green March and the Madrid Accords. Rockower notes that the ICJ advisory opinion demonstrated ties of allegiance between Morocco, Mauritania and Western Sahara without proving sovereignty of those countries over the Saharan territory. He relates the War between Morocco and the Polisario, and the construction of the Sand Walls that allowed Morocco to cut the Polisario's mobility advantage on the ground, actually shift the war's outcome in favor of Morocco. He believes that Morocco lost a diplomatic war when SADR was recognized by the OAU that forced Morocco to withdraw from this organization that originally participated in its foundation.

The author emphasizes that the failure of the Settlement Plan, which agreed upon between both parties in 1991, was due to the interpretation of both parties on the provisions of this plan. He claims that the Polisario tried to limit the voters to the 1974 Spanish census, which Morocco did not accept and the referendum was characterized as a zero-sum game where there is only one winner. He mentions that the stalemate in the identification process was unlocked by the Houston Agreement in 1997, but did not help to implement the referendum since difference of views remained unsolved between both parties. Rockower mentions that “another millennium would pass before the referendum would take place.”<sup>6</sup> He notes that 133,000 appeals were filed for the identification team; he mentions the Baker Plan I proposal to both parties and the four options that Baker proposed to the UN Secretary-General. The author argues that the Settlement Plan was unworkable since the referendum did not get both parties to agree on the voters list and Morocco was not willing to take part in a referendum in favor of the Polisario. He observes that division of territory as an option was unwanted, although Western Sahara was partitioned once between Morocco and Mauritania. He mentions that the termination of Minurso was undesirable because the UN would not admit failure or impotence to solve this conflict. The author claims that the Framework Agreement was the only feasible option, but may trigger similar demands of autonomy from other regions within Morocco. He emphasizes that Algeria would benefit from normalized relations with Morocco, which can lead to more stability in the region and solve the conflict of Western Sahara.

Peter Pham, in his report, *Not Another Failed State: Toward a Realistic Solution in the Western Sahara*, notes that this conflict has defied the international community for

decades without being solved as other disputes, for instance the Palestinian-Israeli conflict and the unsolved division of Cyprus. He mentions that there is a conviction that any solution should consider the viability of the territory and the stability of the region. He acknowledges that many scholars consider the solution of the conflict is necessary for any integration and sustainable development in the Maghreb region. He mentions the historical context of the conflict and emphasizes that Western Sahara is almost similar to the southern part of Morocco in religion, language, and appearance. Pham reports that Algerian military forces engaged Moroccan Armed Forces the first days after the Spanish withdrawal from Western Sahara. He mentions that UNSC Resolution 1871, adopted on April 30, 2009, qualified the Moroccan autonomy plan as serious and credible proposal. He argues that self-proclaiming SADR, who was looking for international recognition for decades after its self-declaration, is a failed state that would easily collapse if it was given independence and therefore cause a regional instability. He claims that SADR does not possess the minimal requirement to be a state such as a territory that the Polisario has never controlled and therefore does not satisfy the Montevideo criteria for being a state.

Pham notes that there is a complete lack of investment in the territory controlled by the Polisario, while Morocco was considered as a valid interlocutor by the European Union regarding investments in the part of Western Sahara that it controlled since 1976. He argues that an independent mini-state with few resources, SADR, would be like the small Mauritania with instability within its people. He notes that a failed Western Sahara state would be internationally isolated. He acknowledges the risk of Al-Qaida in the region over a small and weak SADR that might become another Somalia. He mentions also the refugee camps in Tindouf could be a potential recruiting source for Al-Qaida. He

claims that both Morocco and Algeria found themselves facing terrorist threats. He notes that the unimplemented Maghreb Arab Union (MAU) is the right institution that should devise strategies to deal with terrorism in the whole region. He observes that the Western Sahara conflict is a major obstacle to the implementation of the MAU that can bring significant economic benefits to the Maghreb population. He mentions that the principal of realism is the only way to address the conflict of Western Sahara for a sustainable solution. He reports that the former UN Secretary-General Javier Perez de Cuellar wrote a, “Reasonable solution under which the Western Sahara would be integrated as an autonomous region in the Moroccan state would have spared many lives and a great deal of money. . . . If the referendum is ever held, there will be majority support for integration with Morocco.”<sup>7</sup> He notes that the former UN Secretary-General Personal Envoy for Western Sahara, Peter van Walsum, believes that an independent Saharan state is not a realistic option. He reports that the Moroccan proposal for the autonomy of Sahara had received support from France, Spain, and United States. He observes that the US policy towards Morocco has been steadfast for many years. He reports that some analysts consider Morocco without Sahara as diminished and threatened, while Western Sahara without Morocco as a failed and dangerous state.

Major Melvin Edgardo Flores, a former UN military observer in Western Sahara between 2009 and 2010, notes in an interview with the researcher that he believes that some of the Sahrawi refugees are forced by the Polisario to live in the Tindouf camps. He mentions that the Polisario leaders are keeping the people in the camps with the promise to have a better life. He thinks that the best solution would be a state administrated by Moroccan federal government, because he noticed that many of the Polisario leadership



are corrupted and would not support the Sahrawis, but only themselves. He mentions that Laayoune has all the basic services and more, but he observed that some Sahrawis have less job opportunities than the other settlers of Western Sahara. He notes that Algeria is directly involved in the conflict that could be solved long ago if Algeria were not involved.

### Conclusion

Different aspects of the Western Sahara conflict were reviewed in this chapter providing substantial data for a deep analysis. However, there few or no scholars that have discussed a political solution for the Western Sahara conflict that fit the agendas of the main parties, Morocco and the Polisario and their backers, United States, France, Spain, and Algeria. Moreover, almost the majority of scholars have limited their analyses to the solutions of the Western Sahara conflict as either a question of decolonization or a recovered territory that Morocco once claimed sovereignty over; few documents if none consider the conflict as a regional conflict between Morocco and Algeria. This thesis paper explores aspects that were virtually missed in the analysis of this conflict. The latest UN Secretary-General report to the UNSC pointed out another path in the peace process by recommending the normalization of the Moroccan-Algerian as an underlying assumption that any sustainable solution to the Western Sahara conflict should consider the Algerian position.

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<sup>1</sup>UN Security Council, S2001/613, "Report of the Secretary-General on the Situation concerning Western Sahara," June 20, 2001, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2001/613](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2001/613) (accessed December 18, 2013), 4.

<sup>2</sup>Ibid., 7.

<sup>3</sup>Ibid., 9.

<sup>4</sup>UN Security Council, S/2013/220, “Report of the Secretary-General on the Situation concerning Western Sahara,” April 8, 2013, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2013/220](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/220) (accessed December 18, 2013), 4.

<sup>5</sup>Ibid., 5.

<sup>6</sup>Rockower, 19.

<sup>7</sup>Peter Pham, “Not Another Failed State: Toward a Realistic Solution in the Western Sahara,” *The Journal of the Middle East and Africa*, 1, no. 1 (2010), <http://www.tandfonline.com/doi/abs/10.1080/21520841003741463#>. U2\_AZNtx2uw (accessed December 14, 2013), 23.

## CHAPTER 3

### RESEARCH DESIGN

#### Introduction

This chapter details the methodology used to conduct research of the primary and secondary questions, the research steps used to collect research information, and the research criteria used to analyze the information collected. This qualitative research was conducted through content analysis of UN resolutions and reports, historical data, and articles from reliable sources. Content analysis was chosen as the primary method due to time limitations, and availability of few qualified personnel to interview about this issue. The content collected and researched has been used to answer the secondary questions and therefore provide an answer to the primary research question.

#### Research Design

The construct of the research study is a content analysis qualitative design. This method is an adequate way to acquire large amounts of information from many different authors in various formats and languages. The qualitative research design is dynamic, and constantly shifting with situation change. This paper uses flexible design to be able to tolerate research ambiguity. It also provides a clear picture about the conflict of Western Sahara, the efforts made by the UN to a mutually agreed political solution to this conflict, and the rationale behind the failure of the peace process. The large amount of information found in different languages such as Arabic, French, English, and Spanish posed a real challenge for the researcher who relied on “How to read” strategies by Paul Edwards to quickly identify the key material needed for this research.

The research addresses the secondary questions through a process of finding, categorizing, and analyzing material needed for the project. The answers to secondary questions led to the answer to the primary question. Different sources including official websites, historical books, and articles were used for this research project.

### Data Collection, Validity, and Analysis

This qualitative study relies on a combination of four main methods for gathering information: observation, participation, analysis of documents, and material review. Both participation and observation are fundamental and highly important methods in all qualitative inquiries.

As a Moroccan Army Officer, I have a decent level of knowledge about this long-lasting conflict. I was able to observe the evolution of the peace process during the last twenty years. I also have knowledge of the historical background of this conflict that provides me a better understanding of this complicated issue. I acknowledge that there are many cognitive biases that may distort the judgment of some authors and make their material unworthy of analysis or exploitation in this project.

Despite problems and limitations with unbiased data resources, I was able to collect different kinds of data resources such as audios, articles, videos, and other documents from different resources regarding past events. This data is reasonable in light of the evidence and the aims of the study. Analyzing these documents and materials in a scientific way makes it more reliable and credible. Finally, rigor in a study comes from the validity of the research, the reliability of the findings, and the use of triangulation in data collection. Therefore, to address the rigor of the analysis, transparency in presenting the data is always ensured.

## Research Steps

At the beginning of this research project, the researcher took a great deal of time to first identify the issues that impeded any successful step to the final resolution of the conflict in the Western Sahara. Since the researcher had a historic background in this long-lasting conflict, he was able to conduct a deep reflection. This reflection revealed to the researcher the cognitive biases that some other authors were trapped by when dealing with this complex conflict. The researcher examines in detail the causes for the failure of the peace process between Morocco and the Polisario under the auspices of the UN since the agreed ceasefire of 1991. This chronological examination gives an idea of how complex this conflict is. The formulation of the secondary questions is pertinent to the primary question: Is there a just and durable political solution for the long-lasting conflict in the Western Sahara that is acceptable to the principal parties: Morocco and the Polisario and to their principal international backers: US, France, Spain, and Algeria? Answers to the following questions will elaborate an accurate answer to the primary question. The questions are:

1. What is the nature of Western Sahara conflict? This analysis identifies the different opposing theories about the conflict and the way scholars describe the conflict. The answer to this question is very important to the formulation of a fair and just solution to the conflict, since the solution must address the conflict's nature if it is to be successful.
2. Who are the main protagonists and their principal backers in this conflict? For a better understanding of this conflict, the analysis identifies the key players in the Western Sahara conflict, including those who are indirectly involved in the

conflict. A consensus resolution of the conflict, accepted by all these players, will contribute significantly to the durability of the resolution.

3. How dependent are Morocco and the Polisario on the political, economic, and military support each receives from its backers (Algeria, US, France and Spain)? The answer to this question provides an idea about the interdependence of the actors and their backers. An agreed solution of the conflict should consider the interests of other involved countries and not only the direct players in the conflict.
4. What are the principal, relevant interests of the US, France, Spain, and Algeria in resolving or not resolving this dispute? The answer to this question will help determine the prospects for success of various resolution scenarios.
5. What were previously proposed solutions to settle this conflict and why did these fail? Addressing the past propositions and the rationales behind their failure demonstrates the complexity of this conflict and may provide insights for a new solution that avoids previous errors.
6. Based upon an analysis of the conflict, what appears to be the minimal requirement for each side and its principal backers? Here the parties' proposals are analyzed to determine the irreducible requirements each will demand in a solution of the conflict. This analysis will identify potential common ground among all the parties.

### Conclusion

This chapter discussed the research methodology that is employed for this qualitative study. It is a content analysis qualitative research design. It provides the reader

with steps used to complete the research project. These steps required the researcher to conduct a deep reflection in order to develop pertinent secondary questions that lead to finding an answer to the primary question. The primary method used to complete the required research was content analysis that allowed for large amount of information to be compiled and analyzed. Finally, this method ensured that only approved and reliable information was used in the development of the following chapter.

## CHAPTER 4

### ANALYSIS

#### Introduction

A purpose of this research project is to identify the potential players, their backers, the previously proposed and failed solutions for the Western Sahara conflict. This chapter examines the interests of the principal stakeholders in solving or not solving this dispute. Through analysis of different sources, this chapter addresses key questions that assist in acquiring a good understanding of this complex conflict. The answers to the secondary research questions are based on the analysis and findings of this chapter. These answers ultimately lead to identifying whether or not there is a solution to the long-lasting Western Sahara conflict.

#### Secondary research questions

What is the nature of the conflict?

Based on analysis of different sources, the Western Sahara conflict can be described in three different ways. First, some scholars claim that it is a regional conflict. A second view is that it is only an issue of a territory that Morocco recovered from Spain after a hundred years of colonization. As a third view, other scholars describe this conflict as a matter of decolonization of a territory in which Morocco is considered the occupier. A further analysis of each description follows.

For many analysts, there is an underlying assumption that the nature of the Western Sahara conflict is, pure and simple, part of a larger regional conflict between Morocco and Algeria, which also involves another state actor, Mauritania, and a non-



state actor, the Polisario. A number of analyses concur with this conclusion. Indeed, scholars such as Rockower consider the conflict of Western Sahara as a dispute of regional hegemony between Morocco and Algeria.<sup>1</sup> Furthermore, Algeria's military, political, and financial support to the Polisario is not simply humanitarian assistance, but the engagement of all Algeria's instruments of power to carry out a strategy put in place by Algerian officials at the inception of Western Sahara conflict in 1976. This strategy aims at weakening Morocco's influence in Northwest Africa while increasing Algeria's power and influence.

Some scholars argue that Algeria's key motivation was access to the Atlantic Ocean, but this argument is weak since Algeria could achieve this objective through negotiations with Morocco. Therefore, Algeria's real motivation is territorial expansion to gain hegemony in Northwest Africa at the expense of Moroccan territorial integrity. Pham notes that the Algerian Army engaged militarily the Moroccan Armed Forces during the first days of the conflict when Spain handed over the administration of Western Sahara to Morocco.<sup>2</sup> This evidence demonstrates once again the Algerian claim for the territory.

This regional conflict also involves another country, Mauritania. This country still plays a secondary and limited role in the Western Sahara conflict. Actually, it once claimed sovereignty over the Western Sahara but could not defend it militarily. Mauritania abandoned its claim to Western Sahara and recognized the Polisario in 1979.<sup>3</sup> Since then it stopped being directly involved in the Western Sahara conflict but remained being indirectly involved in the peace process as a neighboring country concerned by the outcome of the conflict.

In addition to the aforementioned countries, the Polisario is a non-state actor involved in this conflict. The Polisario has become a pawn that Algeria is using in this dispute in order to achieve its strategic objectives. Paul Rockower acknowledges that, “Algeria has a client state that now helps it encircle its geo-political rival Morocco.”<sup>4</sup> Since the inception of the conflict, Morocco accused the Polisario of being a mere pawns of Algeria.<sup>5</sup> In addition, Rockower claims that Algeria is using the Polisario in a similar way as Syria used Hezbollah against Israel in what is known as a proxy war.<sup>6</sup> Therefore, according to the view that the nature of the conflict is a dispute between Morocco and Algeria over regional hegemony, any solution that resolves the conflict must also take into account the other issues disputed between Morocco and Algeria.

A second view describes the Western Sahara as a recovered territory once colonized by Spain at the end of 19<sup>th</sup> century. Dr. Souare notes that, “Rabat views Western Sahara as identical to its territories formerly occupied by France and Spain and which have been returned to her or that are to be recovered from their present occupiers.”<sup>7</sup> This view also represents the Moroccan official narrative. However, the ICJ advisory opinion did not firmly decide which state, if any, was sovereign over this territory prior to the Spanish colonization, although the opinion did recognize allegiance between Saharan tribes and Morocco, and Mauritania. This opinion left the question of sovereignty of the territory more complex than ever before. Each participant interpreted the opinion in its favor. The Moroccan monarchy has achieved tremendous public support for its position that the Western Sahara was, and should remain, sovereign Moroccan territory. The vast majority of Moroccans consider the Western Sahara as a

recovered territory and this question provokes a lot of emotion among Moroccan populace.

A third description of the nature of this conflict is that it is a question of decolonization. The Western Sahara was indeed a question of decolonization in 1963 when the UN included this territory in a list of territories to be decolonized.<sup>8</sup> However, after the ICJ decision and the 1976 Madrid Accords, this position became problematic. Morocco holds that the question of decolonization ended in 1976 when Morocco took over the territory in accordance with the UN endorsed Madrid Accords, while the Polisario and Algeria argue that the decolonization never ended, only that it changed from Spanish to Moroccan control. A key contradiction to this analysis is the UN opinion about this matter. The UN, which initially defined the Western Sahara as a decolonization issue, recognized the Madrid Accords that handed over the administration of the Western Sahara to Morocco and Mauritania. If this conflict was a matter of decolonization, the United Nations, as an impartial organization that dealt with conflict resolution, would never have recognized this treaty. Notwithstanding this important contradiction, the Western Sahara is still a matter for the UN Fourth Committee, which is also known as the Special Political and Decolonization Committee. This is the committee that once dealt with ending the trusteeship over territories occupied by European countries. Nevertheless, one could argue that Morocco is not a European country and was not an imperialist power, but a small country that was split into many parts between Spain and France. According to this view, the argument that Western Sahara conflict is a matter of decolonization is weak. In reality, this issue has moved beyond the Fourth Committee, but it stayed there bureaucratically.

Prior to any resolution of this conflict, a good framing of the problem is required and depends inextricably on the nature of the conflict under dispute. One of three aforementioned theories will drive any proposition either to success or failure. During almost the entire peace process, the conflict was either considered as a recovered territory or a question of decolonization. The whole peace process was unsuccessful because it tried to provide the right answer for the wrong question.

However, in his 2013 report to UNSC, the UN Secretary-General mentioned that his Special Envoy to the Western Sahara, Christopher Ross, had started mediation to improve relations between Morocco and Algeria in order to achieve a solution of the dispute over Western Sahara.<sup>9</sup> This shift in emphasis is a recognition, although indirect, that the UN recognizes Algeria as a key player in the conflict and that the dispute is closely tied to the Moroccan-Algerian relations and their ongoing rivalry for regional influence.

Who are the main protagonists and their principal  
backers in this conflict?

A partial answer to this question was provided in the answer of the previous question. The answer to this question completes the picture about the nature of the conflict, its main actors, and the linkage that they have with their backers.

The Western Sahara conflict has involved different players in different time periods. Before 1976, the main actors in the conflict were Morocco and Spain. The Polisario entered the scene as a resistance group against Spanish colonization in 1973, first in support of Morocco and later claiming independence of the territory. The author was unable to find evidence for the cause of this shift by the Polisario. However, the

involvement of Algeria in the conflict could have influenced the Polisario to change its objectives. Later in 1976, the Polisario further escalated its position by declaring itself to be the Sahrawi Arab Democratic Republic (SADR), the state presumed to represent all the Sahrawis. Morocco denied any recognition of this entity and refused any negotiations at that time.

Spain was in charge of the Western Sahara up to 1976 when it signed an agreement with Morocco and Mauritania. This agreement, which is known as the Madrid Accords, passed to Morocco and Mauritania an administrative control over the Western Sahara. The Spanish withdrawal from Western Sahara ended its involvement of the conflict.

Mauritania became an actor in 1975 when it joined Morocco to request the ICJ advisory opinion over sovereignty of the Western Sahara. Mauritania withdrew from Western Sahara after signing a peace agreement with the Polisario in 1979. Later, Mauritania would stop playing a primary role in the conflict, but would remain a secondary actor much more concerned of securing its borders in the context of an unsolved conflict in the fragile Maghreb region.

Algeria's initial involvement was demonstrated by its sending troops to fight Moroccan Armed Forces during the first days of Moroccan occupation of Western Sahara. Pham notes that, "the Algeria's socialist strongman Houari Boumedienne ordered his military to engage the Moroccan army near Amgala [currently outside of the territory controlled by Morocco] in the Saharan territory in the days immediately before the Spanish withdrawal."<sup>10</sup> Algeria would also provide significant logistical support to move Sahrawis supporting the Polisario to camps near Tindouf inside Algerian territory.

Algeria would not get more directly involved in the Western Sahara War, but it would support the Polisario militarily, financially, and politically to sustain the war. The Polisario would officially become the key player, although all of its military activities were directly supported by Algeria.

Today, the main protagonists in the conflict are the states of Morocco and Algeria, and a non-state actor, the Polisario, which is functioning as proxy for Algerian interests. Mauritania still plays a secondary role in the conflict by claiming its neutrality and still attends the negotiations between Morocco and the Polisario. All of these players have state backers that are motivated by their interests either in the conflict itself or in the region more broadly.

Algeria, which is not a direct protagonist but indirectly a key player in the conflict, is still backing the Polisario. Algerian support to the Polisario is significant in three principal forms: military, financial, and political. Algeria is still offering the Polisario refuge in and around Tindouf and provides the Polisario with modern weaponry to maintain pressure over Morocco. The paradox of the peace process is that while Algeria is involved in the conflict militarily, politically, financially, and logistically, it is still not directly involved in the peace process. To address this paradox, as noted above, the UN is trying to get Algeria more directly involved by urging a sustained dialogue between Morocco and Algeria, which have closed borders between them since 1994. The UN initiative recognizes Algeria as a key player in the conflict.

Morocco has been backed by France since the inception of this conflict. France has a greater interest in Morocco than in Algeria. The stability of Morocco is a major concern to France. France's withdrawal from Algeria was precipitated by the Algerian

resistance during the War of Liberation (1954-1962). Subsequent Algerian regimes have been led by the rebels that forced France to decolonize Algeria. Therefore, France's relations with Algeria have been always cool. On the other hand, France's relations with Morocco have been mostly steadfast since Moroccan independence in 1956.

In addition to France's support, Morocco maintains very close relations with the United States. Morocco was the first nation to recognize the United States in 1777. The Moroccan-American Treaty of Friendship, in which John Adams and Thomas Jefferson were the signatories, was established in 1786.<sup>11</sup> US policy towards Morocco was always steadfast. Derek Harvey says that the United States policy is very supportive of Morocco.<sup>12</sup> The US has supported Morocco militarily during its war with the Polisario beginning in 1976. Morocco was always an anti-communist country and an ally with the Western bloc, while Algeria was supporting, and supported by, the communist bloc countries during the Cold War. In addition to French and US support, Spain has officially supported the Moroccan autonomy plan proposed by Morocco since 2007.

This analysis finds that Morocco and Algeria are the main players in the conflict and that the Polisario is a proxy allied with Algeria to achieve Algerian interests in the region. Algerian support to the Polisario is continuing at the expense of the already strained and complex Moroccan-Algerian relations. The principal backers for Morocco are France and the United States.

How dependent are Morocco and the Polisario on the political, economic, and military support each receives from its backers (Algeria, US, France and Spain)?

Morocco has strong economic and military relations with France and the United States. The majority of Moroccan military weaponry comes from France and the United

States. Morocco does not produce any military equipment, which makes it heavily dependent on foreign military sales support. Without French or US military support, Morocco could turn to Russia or China to equip its Armed Forces. Although Morocco is dependent primarily on France and the US for its military equipment, it has other options. However, the Moroccan economy is strongly tied to France since there are many French investors in Morocco in different economic activities. France was biggest trading partner of Morocco in 2012, with trade between the two countries running at €8.0 billion.<sup>13</sup> France has had little influence on the Morocco's international politics since 1956 when Morocco got its independence. However, Morocco's need of France's support for the Western Sahara could cause Morocco make some political concessions to maintain its good relations with a steadfast and historical supporter.

Morocco and United States have a free trade agreement, which was signed in 2004 and entered into action in 2006. The US exports to Morocco were estimated to be \$2.8 billion dollars in 2011.<sup>14</sup> This free trade agreement is still at its early stage if compared with other countries that trade with the US. Morocco is heavily dependent on trade with the European Union and especially France. The United States considers Morocco to be a close ally in combating terrorism.

Spain has unclear and sometimes ambivalent relations with Morocco. The two countries continue to have disputes over many issues, such as emigration, fishing, the Western Sahara conflict, drug trafficking, and the two enclaves of Ceuta and Melilla that Spain still governs inside northern Morocco. Despite these issues, the two countries are striving to further strategic interests. The Spanish support of the 2007 Moroccan Autonomy Plan as a political solution to the Western Sahara conflict is an example of



genuine Spanish desire to advance both countries' common interests instead of concentrating on the differences. Spain does not influence Moroccan politics, but many Spanish organizations are active in the Western Sahara in support of an independent Western Sahara. The Moroccan-Spanish economic relations have developed in the recent years. In 2012, Spain became the first trade partner of Morocco that imported 5.5 billion euros of Spanish products while exported 3.4 billion euros of Moroccan products.<sup>15</sup> Moreover, Morocco did not stop the smuggling, inside of its territory, of Spanish products from Ceuta and Melilla, making these enclaves less dependent on Madrid. Morocco does not benefit from any Spanish military support. However, a Moroccan-Spanish joint military commission met in Madrid in 2014 to discuss the ways to promote bilateral military cooperation.<sup>16</sup>

Algeria supports the Polisario militarily, financially and politically. It also provides refuge for refugees and a safe haven for the Polisario military. Without Algerian support, the Polisario would be unlikely to exist as a significant political and military force in the region. Almost all the military equipment owned by the Polisario is purchased from Russia and paid by the Algerian government. Moreover, the Polisario camps near Tindouf are not sustainable economically since all the support comes from Algeria and international aid administered by the UNHRC, which works with a wide spectrum of active donors from Croatia, Finland, France, Germany, Ireland, Italy, Liechtenstein, Norway, Spain, Sweden, USA, and other private donors.<sup>17</sup> Politically, Algeria has a strong influence over the Polisario leadership.

Finally, Morocco is militarily dependent on foreign countries, but not necessarily to France and United States. The political and economic support of these countries is very

important to Morocco especially to sustain its existence in Western Sahara. Spain seems in favor of supporting the 2007 Moroccan Autonomy Plan Morocco as a counterpart to healthy economic relations. The Algerian heavy influence over the Polisario militarily, economically, and politically seems obvious as a way to promote the Algerian desire for hegemony in North Africa.<sup>18</sup> Therefore, Algeria and the Polisario are strongly tied to the point to be considered as one player in this conflict.

What are the principal, relevant interests of the US, France, Spain,  
and Algeria in resolving or not resolving this dispute?

The principal US interests in the North Africa are stability and security. The most notorious security issues in North Africa and Sahel region are posed by Islamist extremism and terrorism as exemplified by al-Qaeda in the Islamic Maghreb (AQIM).<sup>19</sup> Morocco, which is a US strategic ally in North Africa, has proved its capability to fight terrorism, to secure the Western Sahara inside the berm, contain the Al-Qaida in the region, and finally, has emerged as the most stable country in North Africa after the 2011 Arab Spring revolutions.

To the contrary, there is no evidence that a Polisario government in the Western Sahara would be able to provide similar security and stability. Dr. Issaka K. Souare notes that the most important stake for United States is the stability of an important ally in the region of North Africa.<sup>20</sup> Therefore, the United States should be expected to favor a solution that works in the interest of Morocco and its stability and to oppose any solution that could jeopardize the fragile stability and security in North Africa, especially after the Mali crisis, where a small Islamist group took over more than half of the country in 2012.

It is also unlikely that the United States would support a resolution that allows Algeria to expand its influence at the expense of Morocco, an old and strategic ally. However, if a status-quo or no solution provides a similar level of stability and security, the United States may be in favor of it. It is also important to recognize that because the Western Sahara conflict is not in the top priorities of the United States, compared to other African and Middle-East issues among US focus.

France is more concerned about the outcome of this conflict since it has huge interests and investments in Morocco. The stability of Morocco is a major concern to France. Dr. Issaka K. Souare notes that the most important stake for Paris in North Africa is the stability of Morocco.<sup>21</sup> Morocco is also a hub for French influence in Africa. Many French people choose to spend their retirement in Morocco. Therefore, a solution that undermines Moroccan interests and places French interests at risk is absolutely not to be discussed. France would be keen to support any solution that favors Morocco's stability and the stability of the North African region, where France has historical and traditional ties that guarantee its interests.<sup>22</sup> For France, the status-quo is a good solution in the absence of any proposal that directly supports Moroccan and ultimately French interests in the region.

Spain has growing economic relations with Morocco more than with Algeria or the Polisario. A continuing conflict would be beneficial for Spain, which could use it as leverage in its relations with Morocco for the purpose of maintaining the concessions that Rabat has made regarding the enclaves of Ceuta and Melilla, economic smuggling, fishing contracts, and other Spanish economic interests in Morocco. Spain would not support a solution against Morocco, but if the other party proposed more advantages,

Spain may shift its position. Spain also has agreements with Morocco to reduce clandestine immigration from Africa. Morocco is safe-guarding Spanish borders that could be overwhelmed by thousands of Sub-Saharan immigrants. Stability in Morocco is a major issue for Spain, so both countries favor realism in their relations. Therefore, a status-quo serves better the Spanish interests than a resolution of conflict. However, if a resolution must be done, Spain may favor Morocco for both countries' interests.

Algeria is more interested in a hegemonic role in the region. Any solution that would empower Morocco is not in the Algerian agenda. Based on the analysis of different sources, the Polisario is serving the Algeria proxy war against Morocco more to serve Algerian national interests than to serve the Sahrawi population. The Sahrawis themselves are divided between supporters and non-supporters of the Polisario. The Polisario is not much interested in a solution that serves the Sahrawis, but rather than serving its backer, Algeria. Moreover, Algeria would not accept any solution if it does not achieve independence of the Western Sahara under the control of its proxy, the Polisario. An agreed solution that serves the Sahrawi population at the expense of Algerian national interests cannot be considered or accepted by Algeria, especially after its heavy investments with the Polisario. Also, a continuing conflict would likely serve the Algerian interests since it hinders Morocco from achieving further development. Morocco, with the Western Sahara, would likely accelerate its economic development and gain greater influence in North Africa. Therefore, Algeria has no interests in ending this conflict if it does not serve its hegemonic interests. The solution that serves the Algerian agenda best is independence of the Western Sahara. Any proposal that does not include independence as an option will never be accepted by Algeria.

Finally, there is obviously no common ground among the backers of the main players to end this conflict. The United States' concerns are principally security and stability in the region. France is more interested in a solution that serves Moroccan interests and consequently its interests. Spain would be best served with the status-quo rather than a solution that ends this conflict and takes away the Spain's leverage over Morocco to maintain control over the enclaves of Ceuta and Melilla. Algeria is interested in an independent Western Sahara to serve its desire for territorial expansion and a hegemonic role in North Africa, rather than a solution that serves Moroccan interests or French interests.

What were the previously proposed solutions to settle  
this conflict and why they failed?

Many approaches have been tried in order to settle the Western Sahara conflict. Beginning with the Referendum plan to the Moroccan autonomy plan, the United Nations tried to reach a breakthrough that could end this long-lasting conflict. Up to now, no solution seemed to satisfy the agendas of the parties in this conflict. From the settlement plan in 1991, through the Baker Plans, to both parties' proposals, the peace process seems to be moving from one stalemate to another. The following paragraphs analyze the previously proposed plans and the reasons behind their failure.

#### The Referendum or Settlement Plan

The Referendum Plan, known also as the Settlement Plan, was adopted in United Nations Security Council Resolution 690, dated April 29, 1991. This plan brought about a ceasefire between the parties and promised a referendum that would offer a choice between integration with Morocco or independence. The crucial element in the

implementation of this plan was the identification of the voters that were eligible for the referendum. Jensen mentions that the Spanish census of 1974, which counted approximately 74,000 inhabitants of the then Spanish Sahara, was agreed upon by both parties to be the only and unique basis for the preparation of the electoral roll. Also, the UNSC Resolution 621, dated September 20, 1988, notes the agreement of both parties around the self-determination referendum. However, different interpretations of the eligibility of voters would end any consensus around this plan.

The Polisario argued that only the Sahrawis who were counted in the 1974 Spanish census were eligible voters for the referendum. Morocco argued that the thousands of Sahrawis who were born after 1974 must be given a chance to participate in the determination of their future without being disenfranchised. Jensen notes that there never was a moment when the process could deliver a result that was politically acceptable to both sides. Therefore, even if the two sides could agree on a voters' list, which was unlikely, the referendum would be a winner-takes-all event, or what is known as zero-sum game. This means there would be a winner and a loser and never two winners.

Neither of the parties would allow this to happen, and each used different tactics that eventually drove the referendum plan into an unbreakable deadlock. Despite the UN efforts to settle differences around the identification process, the referendum was declared impossible by 2000. Baker informed the UNSC that a consensual approach would not work and requested the parties to choose other alternatives that would come closer to a win-win solution.

## Baker Plan I

The Baker Plan I, also called the Framework Agreement, offered the people of Western Sahara a temporary autonomy within Moroccan sovereignty. Except for defense and foreign policy, all other decisions would be the responsibility of an elected local government. The final status of the Western Sahara would be determined within five years through a referendum that would offer to the voters a choice between integration within Morocco or autonomy. Morocco accepted the plan, but Algeria and the Polisario Front rejected it.

In this plan, the qualification to vote in the referendum would be given to anyone who had been living in the Western Sahara for one year prior to the referendum. This condition did not satisfy the Polisario. The Polisario has always claimed that the only legitimate voters were those on the 1974 Spanish census. The Polisario knew the one-year residency condition would allow Morocco to win the referendum decisively because it could flood the territory with Sahrawi loyalists. For the Polisario, this condition obviously served Morocco rather than itself. For Algeria, the autonomy of the Western Sahara within Moroccan sovereignty would isolate Algeria and severely limit its involvement in Saharan affairs. It would also empower Morocco with its rivalry with Algeria in North Africa. The new condition would also allow Morocco to challenge Algeria over the disputed borders that were left unsettled since the French departure from Algeria in 1962. In a letter sent to both the UN Secretary-General and his personal envoy, James Baker III, Algeria strongly criticized the plan and accused Baker of preparing an annexation of the territory to Morocco. This plan was an opportunity to end the dispute,

but this opportunity did not serve the interests of the Polisario and its backer, Algeria, which considered it as a win-lose solution.

### Baker Plan II

The Baker Plan II was a second version of what the UN special envoy to the Western Sahara drafted in order to gain Polisario and Algerian agreement in the process after their refusal of the Framework Agreement (Baker Plan I). The Baker Plan II envisioned Saharan self-rule for a provisional period of four to five years by a local governing body. At the end of this period, a referendum would allow the Sahrawis and other residents of the Sahara to choose between independence or integration or autonomy within Moroccan sovereignty. The Polisario, after some reservation and without abandoning its position on the 1991 Settlement Plan, accepted this plan; Morocco rejected it.

The Moroccan refusal was mainly because the plan introduced the option of independence, an outcome that Morocco could not risk. Moreover, Morocco was concerned that the plan only served a minority of the Sahrawi population because only the Sahrawis that were counted in the 1974 Spanish census would be allowed to vote for the election of the provisional body. This would have deprived the other residents of the Western Sahara from deciding the temporary government that would rule during the four or five year period of transition. Obviously, Morocco was concerned about the transition period that would have allowed the Polisario to be in charge of the local government. If this happened, Morocco would be isolated and the Western Sahara conflict would shift from a dispute between Morocco and the Polisario to a conflict between the Polisario and other settlers of the Western Sahara. Morocco would lose the upper hand. Such a scenario



would occur during the transitional period, obviating the need for a referendum as agreed in the plan since the nature of the conflict would have changed.

This plan would have let the rest of Sahrawis and the other residents of Western Sahara that were promised participation in the referendum to wait for another decade if they were not prosecuted or deported from the territory. Furthermore, the inclusion of the independence option in the referendum, regardless of when it was held, was very risky for Morocco; it was an option that Morocco would never accept. Surprisingly, Algeria, which does not consider itself a player in the conflict, declared itself favorable to Baker Plan II. The UN Secretary-General described the Baker Plan II as an optimal solution to the conflict if mutually agreed upon by both parties. Both the Polisario and Algeria thought the plan would provide a better than 50-50 chance that their interests would be served. Morocco did not.

#### The 2007 Polisario proposal

On April 2007, the Polisario submitted to the UNSC a proposal for a mutually agreed on political solution. This initiative was a response to the Security Council calls upon both parties to end the stalemate in the peace process and cooperate for a mutually acceptable solution to the conflict. In its proposal, the Polisario reiterated the need to hold a referendum for self-determination. It urged negotiations with Morocco under the auspices of the UN to agree on the modalities for the implementation of the referendum. It reassured the rights of the Moroccan settlers to participate in the social, economic, and political life in the Western Sahara. It mentioned that the Polisario was ready to make concessions with Morocco concerning the natural resources found in the territory.

This plan was not significantly different than the 1991 Settlement Plan that the UN had already decided was unworkable to resolve the conflict, especially as a mutually agreed solution. In its proposal, the Polisario promised to share natural resources with Morocco. Morocco, which had military supremacy, was not interested in those propositions since it already occupied more than 80 percent of the territory and had already started exploiting the natural resources. This proposal was far from being a serious initiative to solve the conflict since it did not advance any new proposals. However, it did demonstrate what the Polisario expected as a solution of this conflict.

#### Moroccan Autonomy Plan

The Moroccan Autonomy Plan was submitted to the UNSC on April 11, 2007, as a response to the UN Security Council's request to advance possible solutions. The plan outlined a political solution for the Western Sahara conflict that granted a broad autonomy arrangement for the Saharan population under Morocco's sovereignty. The proposal did not get into comprehensive detail. Morocco believed that such specific arrangements should be the result of direct negotiations rather than the imposition of provisions by one party of the conflict. This plan granted the local Saharan government with significant prerogatives and autonomy, but only within Moroccan sovereignty.

This plan was widely welcomed by the international community as a shifting point to solve the long-lasting conflict of the Western Sahara. The United States described the plan as serious, realistic, and credible and one that represents a potential approach to solve the conflict of Western Sahara. France considered the autonomy plan as a credible and serious basis for a negotiated settlement. Spain also supported the Moroccan autonomy plan.

The Moroccan autonomy plan can be described as the less favorable outcome for Morocco if the Baker Plan I had been accepted and implemented. The Baker Plan I gave a choice between integration and autonomy for a referendum. Morocco considered itself as a loser in the Baker Plan I and its revised plan was intended to save the time and the resources to organize a referendum on integration or autonomy. Therefore, the Moroccan autonomy plan was not really something new, but a plan that had already been rejected by Algeria and Polisario. However, it is considered as a compromise that Morocco made to display its good will to end the conflict around the Western Sahara.

The Polisario accused Morocco of getting around the right of self-determination of the Sahrawi population by proposing a plan that cannot guarantee this universal right, as recognized and endorsed by the charter of the United Nations. However, this claim is questionable if we consider the four possible ways of achieving self-determination as describing by James Baker: self-determination can be achieved by war, revolution, election, or agreement. The Moroccan autonomy plan still allowed the right of self-determination through agreement as the result of a process of direct negotiations between both parties and their main backers.

The Moroccan autonomy plan would have isolated Algeria from any further involvement in the Western Sahara if it had been accepted. This plan would have ended the Algerian dream of a territorial expansion or access to the Atlantic coastlines. It would make Algeria lose all the investments it had put in place with the Polisario since 1976. The Moroccan autonomy plan was a creative strategy designed to prove Algeria's direct involvement in the conflict, and that the Polisario had no independent political decision to make for itself or for the Sahrawi population it pretends to represent. However, the plan

influenced Algeria to become more confrontational with Morocco. For example, Algeria's call to include human rights observation into MINURSO's mandate is an example of Algeria's dissatisfaction with the Moroccan autonomy plan. Algeria will never accept to be alienated from the Western Sahara conflict, and any solution must consider this fact.

### The process of negotiation

Negotiations between Morocco and the Polisario had started before the 1991 ceasefire agreement. The negotiations between both parties took place in different times and different places to discuss different issues. Some of them were successful and others unsuccessful, but none of them reached any breakthroughs. However, negotiations between both parties and their mediators prior to 1991 were successful and brought about the ceasefire on September 6, 1991. Other talks were held to overcome the deadlock in the voter identification process and can be qualified as successful, especially the 1997 Houston Accords.

In 2000, and despite ongoing negotiations, the peace process came to another unbreakable stalemate. Furthermore, both parties did not agree on the Baker Plans and both submitted their proposals in 2007 to start a new chapter of the long-lasting peace process.

The United Nations then called upon both parties to engage into direct negotiations without preconditions. Between 2007 and 2008, both parties went through four series of direct talks that took place at Manhasset, New York. These negotiations included Algeria and Mauritania as the neighboring countries of Morocco. These four

talks were eventually unproductive. In 2008, the United Nations asked for a fifth round between both parties, but this round has not been held up to this moment.

Negotiations between Morocco and the Polisario did not reach any breakthrough simply because of the difference in views. Morocco insisted on discussing only its proposal for the autonomy of the Sahara within Moroccan sovereignty, while the Polisario insisted on the right of self-determination as the only solution for the conflict. Furthermore, the United Nations insisted that the proposals of both parties should be included in the agenda, even though this contradicts negotiations without preconditions.

The author's personal point of view about the negotiations is that Algeria should have been included as a main player in the dispute and not just as a neighboring country. The negotiations failed because Algeria was not included as a party and the Polisario could not agree on anything without Algeria's prior approval. Also, the negotiations failed because the conflict was too long considered as a dispute between Morocco and the Polisario, rather than as a regional conflict between Morocco and Algeria, in which the Polisario was only a secondary player whose primary role, fighting the proxy war, ended in 1991 when the ceasefire took place.

Based upon analysis of the conflict, what appears to be the minimal requirement for each side and its principal bakers?

The criteria for a minimal requirement to achieve a peaceful solution differ between the key players. There is a big divergence between the main players, which makes a common ground difficult to achieve. A minimal requirement for Morocco would be any solution that ends the Algerian involvement in Western Sahara and its desire to expand at the expense of Moroccan territorial integrity. Morocco would likely

compromise on anything but Moroccan sovereignty of this territory. Therefore, sovereignty is the minimal requirement that Morocco can expect from any solution of this conflict. Giving away sovereignty would threaten the survival of any government in Morocco since this question provokes a lot of emotion within Moroccans. Furthermore, many analysts believe that, without Moroccan control of the Western Sahara, Morocco would suffer economic stress that could lead to widespread turmoil and instability in the region. In addition, the historical ties that link Morocco with the Western Sahara are very strong; cutting this emotional link could be perceived as a betrayal to the hundreds of thousands Sahrawis that were and are still supporting Morocco.

Morocco has also started to prepare a future plan for an advanced regionalization to alleviate the possible secession desires that a Moroccan autonomy plan would provoke in other regions of the country. The regionalization would grant autonomy to twelve regions within Moroccan sovereignty with the Western Sahara as one of those regions. Morocco would empower local regional governments of self-governance and parallel development of their respective regions to avoid criticism or alleged accusations of discrimination among the regions within Morocco when it comes to investments or economic development. Therefore, any solution favorable to Morocco should allow Morocco to retain its sovereignty over the territory as a minimal requirement.

For the Polisario, any solution should consider the implementation of the universal right of self-determination as a minimal requirement for a peaceful solution. This is because the Polisario believe that any referendum in the Western Sahara will result in a vote for independence of the Sahrawi population. For this reason, the Polisario will accept a referendum that would allow all the residents of Western Sahara to vote, but

only the Sahrawis that were counted in the 1974 Spanish census as a guarantee of a decisive victory in any referendum. The Polisario has never dismissed the 1991 Settlement Plan, even after accepting the Baker Plan II. This means that the Polisario moves from a plan to another without giving up the plan that would achieve its principal goal. However, if a referendum on the future of the entire territory cannot be forced by the international community, the Polisario could possibly accept the division of the territory as an acceptable solution that would allow the Polisario to rule over a country of its own. The 2007 Polisario proposal gave some concessions about sharing natural resources with Morocco. This is an obvious way to favor a division of the territory or its resources. How big this territory should be is another issue that the Polisario would like to negotiate with Morocco. Therefore, the minimal requirement for the Polisario is an independent country derived from all or part of the Western Sahara territory.

Algeria has invested too much for supporting the Polisario to accept integration or autonomy within Moroccan sovereignty as a solution to the Western Sahara conflict. The Algerian minimal requirement is the same as the Polisario one. Algeria would be satisfied with a division of the territory for multiple reasons. First, a division of the territory would compromise the Moroccan territorial integrity and set back the Moroccan claims over the disputed borderlands with Algeria. The second argument is that Algeria would gain more territory. This would give Algeria access to the Atlantic coastline and a share of the natural resources in the independent territory. The third reason is that Algeria would gain more hegemony over Morocco and foster other secession within Morocco. In any case, Algeria is still winning in an unsolved conflict around the Western Sahara.

For the United States, any solution that undermines the stability of Morocco is not a good outcome. The US support for Morocco was and is steadfast. This support has allowed Morocco to control 80 percent of the Western Sahara. The US is more concerned about stability and security in the region than who is sovereign in the territory. However, sovereign control by a loyal and cooperative ally to the US in North Africa is much more supportive of US interests than the alternatives. A new country that cannot assure security in the Sahara and Sahel could become a safe haven for enemies of the United States. Therefore, a minimal requirement for US would be a Western Sahara state that could assure long term stability and security, cooperates actively against terrorism, and is keen to support US national interests. Morocco alone meets that criteria.

For France, an independent Western Sahara does not serve the French interest in Morocco. The strained relationship between France and Algeria works in favor of Morocco since France would never empower Algeria to take a lead in the Western Sahara. France's economic interests in the region, which are best served by Moroccan control of the Western Sahara, are more important than any other alternatives. Therefore, the minimal requirement for France would be a Moroccan government in charge of economic and development decisions in the Western Sahara and this goal could be achieved only if Morocco maintains or advances its control over the territory.

For Spain, an unsolved conflict in Western Sahara would allow it to maintain its leverage over Morocco and dampen protests regarding its enclaves in northern Morocco. This leverage allows the flooding of Morocco with smuggled Spanish products without any effective measures to counter it. The stability of Morocco is also beneficial to Spain. A collapse of Moroccan government would be detrimental to the security of Spain.



Morocco is stopping the clandestine immigration from sub-Saharan countries to Spain, at the expense of its own economy. Morocco recently granted permanent residency in Morocco to sub-Saharans who were rejected by Spain. Morocco also granted temporary free fishing rights to Spain in Moroccan waters to help boost Spain's economy after the 2008 economic crisis. All these Moroccan compromises would be less possible if Morocco did not have a dispute in the Western Sahara that could be influenced by Spain. For its part, Spain welcomed the Moroccan autonomy plan. Therefore, the optimal solution for Spain would be a long-lasting, but not seriously destabilizing conflict in the Western Sahara.

#### Primary Research Question

To answer to the primary research question, "Is there a just and durable political solution for the long-lasting conflict in the Western Sahara that is acceptable to the principal parties Morocco and the Polisario, and to their principal international backers US, France, Spain, and Algeria?" the analysis of the secondary research questions revealed a serious gap in the failure to adapt the proposals to the true nature of conflict. The following paragraphs will deal with the conflict as a regional dispute, since all the other theories of the nature of the dispute did not advance any political solution to the conflict up to this moment, despite the significant mediation efforts made by the United Nations.

Based on the aforementioned analysis, there is no single political solution that would be agreed upon by all parties involved in the conflict and their backers. The main reason is that there is no obvious common ground among all the players. While Morocco is calling for a solution that provides for its sovereignty over all of the territory, the

Polisario and Algeria call for its independence in whole or in part. Algeria and the Polisario have not offered any compromise since the inception of the conflict, while Morocco has proposed a serious and realistic proposal for ending this dispute.

In this context of disagreement, one solution that seems to be the most realistic of all is the no-solution or the status-quo. For the Polisario leadership, the no-solution is profitable. The Polisario is surviving as a political movement by taking advantage of humanitarian aid by overestimating the number of the refugees and by refusing any official census of the refugees in Tindouf. This situation is more financially lucrative for the Polisario leadership than integration with Morocco. The Moroccan autonomy plan would challenge the Polisario leadership since they would have to compete with other Sahrawis in transparent elections to form the ruling body. For Algeria, a status-quo is a good opportunity to keep Morocco busy and focused on efforts on the Western Sahara conflict rather than on the Algerian-Moroccan border issues. For Morocco, the status-quo is not significantly harmful to its economy, since Morocco can still sign fishing agreements with the European Union involving Western Sahara waters and can continue to exploit the territory's phosphates to pay for the cost of its long deployment of Moroccan Armed Forces to the territory. For the United States, the status-quo still provides essential security and stability that Morocco can guarantee by deploying more than 100,000 troops in the Western Sahara along the Berm. Even with a no-solution of the conflict, the US still perceives Morocco as a strong and reliable ally in North Africa. France, with the status-quo, can still maintain its economic interests with Morocco. Spain perceives the status-quo as the best condition that serves its interests in the region. Therefore, the status-quo is the only political solution that can achieve any measure of all

the parties and their backers. However, notwithstanding the aforementioned arguments, the absence of a real solution for the Western Sahara conflict does in fact impede the economic and social development of the Maghreb region. A plan for a union of the Maghreb region is more needed than any time before for a better future of the population in the context of a globalized world where borders between nations are meaningless.

### Conclusion

This research has concluded that United Nations' efforts throughout the last thirty-seven years have failed to achieve a breakthrough in the settlement of the Western Sahara conflict. Many options were tried during this period. The Settlement Plan or the Referendum Plan failed because of differences around the identification process to determine the eligibility of the voters. The Baker Plans, I and II, were also each rejected by one or more parties. The both parties' proposals of 2007 caused more divergence than ever before, and direct negotiations between both parties were often, if not always, unproductive. The settlement of this conflict remains elusive in a context of an absence of trust between all the parties involved, directly or indirectly. Among all possible solutions, the status-quo seems to be the only political solution to the dispute that can achieve any measure of consensus from all parties and their backers. As such, the Western Sahara is likely to remain a frozen conflict resistant to resolution for the indefinite future.

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<sup>1</sup>Rockower, 2.

<sup>2</sup>Pham, 9.

<sup>3</sup>Rockower, 15.

<sup>4</sup>Ibid., 2.

<sup>5</sup>New York City Bar, 14.

<sup>6</sup>Ibid., 2.

<sup>7</sup>Issaka K. Souaré, “Western Sahara: Is there light at the end of the tunnel?” (Institute for Security Studies, November 2007), <http://www.issafrica.org/uploads/Pap155.pdf> (accessed March 5, 2014), 9.

<sup>8</sup>Minurso.

<sup>9</sup>UN Security Council, S/2013/220, 5.

<sup>10</sup>Pham, 9.

<sup>11</sup>Embassy of Morocco, “US-Morocco Diplomatic Relationship,” <http://www.embassyofmorocco.us/USMoroccorelationship.htm> (accessed May 15, 2014).

<sup>12</sup>Harvey, 158.

<sup>13</sup>Diplomatie, “Economic relations,” <http://www.diplomatie.gouv.fr/en/country-files/morocco-285/france-and-morocco/economic-relations-6307/> (accessed May 15, 2014).

<sup>14</sup>US Trade Representative, “Morocco Free Trade Agreement,” <http://www.ustr.gov/trade-agreements/free-trade-agreements/morocco-fta> (accessed April 10, 2014).

<sup>15</sup>Morocco World News, “Spanish Exports To Morocco Up 4% in 2013: Ministry,” February 21, 2014, <http://www.moroccoworldnews.com/2014/02/123229/spanish-exports-to-morocco-up-4-in-2013-ministry/> (accessed May 15, 2014).

<sup>16</sup>Morocco World News, “8th Moroccan-Spanish joint military commission meets in Madrid,” April 25, 2014, <http://www.moroccoworldnews.com/2014/04/129291/8th-moroccan-spanish-joint-military-commission-meets-in-madrid/> (accessed May 15, 2014).

<sup>17</sup>UNHRC, “UNHCR/CBM Western Sahara Fact Sheet,” <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=4addc3e39&query=polisario> (accessed May 15, 2014).

<sup>18</sup>Souaré, 1.

<sup>19</sup>Pham, 19.

<sup>20</sup>Souaré, 9.

<sup>21</sup>Ibid.

<sup>22</sup>Ibid.

## CHAPTER 5

### CONCLUSION AND RECOMMENDATIONS

#### Conclusion

This study set out to examine the peace process in the Western Sahara beginning with the ceasefire in 1991 until 2014. It reviewed the key players in the conflict and their positions, as well as the different plans that were devised by the United Nations and others to settle the conflict. The study also examined specific reasons for the failure of the peace process in the Western Sahara, offered some recommendations on how to solve the conflict, and discussed a number of measures that should be taken in order to set the conditions for a settlement of this dispute.

The research reviewed the key players in the conflict since its inception up to 2014. The current main players are Morocco, Algeria, and the Polisario, along with Mauritania, which still plays decidedly a secondary role. The principal backers of these key players were also identified along with the minimal requirements of each party to solve the conflict.

The analysis also reviewed key proposals in the peace process from 1991 to 2014. The 1991 Settlement Plan or Referendum Plan was the first plan examined in this thesis, followed by the Baker Plan I of 2001 and the Baker Plan II of 2003. The 2007 Polisario proposal and the 2007 Moroccan proposal, known as both parties' proposals, were also examined, along with the four rounds of unproductive direct negotiations between Morocco and the Polisario that took place in the United States from 2007 to 2008.

The main reasons for the failure of the Settlement Plan were disagreements around the identification process. The Baker Plan I was accepted by Morocco, but

rejected by the Polisario and Algeria, who accused Baker of preparing an annexation of the Western Sahara to Morocco. While the Baker Plan II was accepted by the Polisario and Algeria, Morocco rejected it because it provided an option of independence for the territory. The 2007 both parties' proposals were welcomed by the UNSC. However, these proposals influenced the subsequent direct negotiations between both parties that were supposed to be without preconditions. Consequently, the negotiations did not produce any breakthrough in the peace process. None of these plans gained an agreement among all parties causing the peace process to be stalled in a dangerous deadlock, with a future settlement of the conflict even more elusive.

The research discussed the minimal requirements for the main players in the conflict in order to examine possible common ground among the parties to solve this dispute. The analysis did not find any common ground because Morocco considers sovereignty over the territory as the minimal condition for any solution while the Polisario considers the implementation of the right of self-determination that could lead to the independence of the territory as the minimal requirement for a peaceful settlement of this dispute. Also Algeria, which is a major key player in the conflict, would be satisfied only by full independence or by a division of the territory that Morocco would never accept, since it would undermine Moroccan sovereign control.

The analysis concluded that the status quo is the only political solution that all the parties could agree upon, at least as a solution more acceptable than any other. This no-solution agreement would also achieve the tacit acceptance of the parties' key backers. In any event, the status quo serves each of the parties' minimal interests. Surprisingly, it is the only agreeable common ground available after years of negotiations, primarily

because it preserves the possibility of eventual success for each party, and avoids a win-lose resolution.

### Recommendations

The research identified several key gaps in dealing with this conflict and suggests multiple measures that could set the conditions for a serious and credible settlement of this conflict:

First, the UN should carry out a census of the Tindouf refugee camps. This initiative would allow the international community to know the number of the Sahrawis living in the camps. The census should determine the condition in which the population is living and whether or not they are stranded there against their will, as some observers believe.

Second, the international community should give more attention to resolving this conflict. A productive step would start by moving the Sahrawi refugees living in Tindouf (Algeria) to a neutral country, possibly Mauritania or another neutral country. This will deny the direct involvement of Algeria and facilitate the resolution of this long-lasting conflict.

Third, a normalization of Moroccan-Algerian relations would have an immediate and positive impact on ending this dispute. A first step would be to open the borders between the two countries, which have been closed for 20 years. Secondly, building confidence between the two countries by establishing direct talks on their disagreements would provide a very positive atmosphere for advancing a solution of the Western Sahara dispute. If Morocco and Algeria improve their relations and minimize their rivalry, the likelihood of a Western Sahara resolution will increase significantly.

The research identified two possible considerations that can help advance the peace process in the Western Sahara conflict, but they are unlikely to be considered. First, the United Nations should consider the use of Chapter VII, which can involve coercion, to force the compliance of the parties that are refusing any peaceful settlement of this dispute. These measures could influence the parties not indirectly involved parties to either join the effort or get out of the dispute. Without some level of coercion, no party is going to agree on a plan that it does not want. No party will voluntarily accept losing the dispute. Secondly, the United Nations could organize a comprehensive referendum including all the Saharan population in the Western Sahara to determine whether or not they agree on the Moroccan autonomy plan, since the international community had welcomed and supported it. If the population's vote were positive, then the Moroccan autonomy plan should be imposed as the solution of the conflict. This proposal would offer the Sahrawi people the right of self-determination, since it gives them the right to decide whether or not the Moroccan autonomy plan is a good solution for the conflict.

#### Recommendations for Further Studies

Undoubtedly, the conflict of Western Sahara is a topic that scholars and researchers will continue to deal with in the future. The primary focus of this paper was to determine whether or not there is a solution to this conflict. The research examined numerous solutions that the United Nations has tried in order to end this conflict, but none of these solutions has focused on the principal impediment to a resolution. The main reason for the unsuccessful peace process in the Western Sahara is the strained relationship between Morocco and Algeria. Therefore, an important subject for future study is what should be done to promote a full normalization of relations between



Morocco and Algeria, and how that normalization would influence an end to the long-lasting conflict of the Western Sahara.

Additionally, owing to time limitations, the study focused only on the Western Sahara. There is also a need to clearly address the historical ties that existed between the Algerian territory and the Moroccan territory prior to the colonization period to understand the reasons of the complexity in the Moroccan-Algerian relations.

Finally, the rise of Al-Qaeda in the Islamic Maghreb (AQIM) as a terrorist group also threatens stability of the Maghreb region. A future study on the relationship of AQIM with the unsolved conflict of the Western Sahara is likely to add more insight about the challenges that the regional countries and the international community have to deal with in the future.

## APPENDIX A

### Interview with a former UN military observer in the Western Sahara

The researcher conducted an interview with Major MELVIN EDGARDO FLORES, a former UN military observer in the Western Sahara between 2009 and 2010. The UN military observer spent a whole year in the region moving between Laayoune (Moroccan controlled Western Sahara) and Tindouf refugee's camps in Algeria. This interview occurred in Gettysburg, PA on April 11, 2014. The following questions and answers represent the entire interview as was conducted.

**Researcher:** Who do you think are the indigenous people of Western Sahara?

**The former UN military-observer:** The Sahrawis are the native population of Western Sahara. They were the first to fight against the Spanish Colonization.

**Researcher:** What do you think about the allegation that says that the Sahrawi refugees in Tindouf are forced to live there against their will?

**The former UN military observer:** I think that some of the Sahrawi people living in Tindouf camps are forced to live there because the Polisario need the people to be there to show that they have control over the refugees. If the Polisario allow the Sahrawi living in Tindouf to go outside of the camps and live in a different city, they would definitely never come back. The Polisario is keeping the people in the camps with promises to have a better life.

**Researcher:** You know that this conflict have lasted more than 38 years, so what would be the best solution for this dispute and why?

**The former UN military observer:** I think that the best solution would be a state administrated by Moroccan federal government. I observed that many Polisario

leadership are working to serve themselves and not to support the Sahrawis people. And as you know corruption is around the world and the Polisario leaders are not an exception. **Researcher:** Do you think that Moroccan government is providing good services to the Sahrawis in the Moroccan controlled part of Western Sahara?

**The former UN military observer:** I was visiting Laayoune during my mission as a military observer and I noticed that Laayoune has all the basic services and even more, however I observed that some Sahrawis have less opportunities comparatively to the other settlers of Western Sahara, and I am talking about the job opportunities.

**Researcher:** Do you think that Algeria is directly involved in this conflict as a key player?

**The former UN military observer:** Since there is civilian refugees living in Algerian territory, Algeria is a main player. I think that if Algeria were not involved, the conflict would have been resolved long time ago.

I Major MELVIN EDGARDO FLORES, HONDURAN ARMY hereby give my permission for CPT ABDENABY LAMIRI to interview me and quote my responses in a scholarly research paper. I understand that this research paper will be submitted to a professor at the United States Army, Command and General Staff College. I understand that I waive any claim to copyright to this material should the student ever publish it in a scholarly journal or in electronic format online. I understand that the author will not maintain my anonymity as a part of this interview. I hereby give my permission in the form of my signature below.

Signature ME.FN Date April 10, 2014

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